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BEFORE THE
COPYRIGHT ROYALTY TRIBUNAL
WASHINGTON, D.C.

SEP 10 1993

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In the Matter of   :

1990 CABLE COPYRIGHT ROYALTY:
                             DOCKET # CRT 92-1-90CD
DISTRIBUTION PROCEEDING   :
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(This volume contains pages 208 through 420, excluding pages 256 through 266 which are confidential and under separate cover.)

Washington, D.C.

Thursday, September 9, 1993

The above-entitled matter convened, pursuant to adjournment, in the Offices of the Copyright Royalty Tribunal, in Room 921, 1825 Connecticut Avenue, N.W., Washington, D.C., at 10:00 a.m.

BEFORE:

CINDY DAUB   Chairperson

BRUCE D. GOODMAN   Commissioner

EDWARD J. DAMICH   Commissioner

LINDA R. BOCCHI   General Counsel

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<u>C O N T E N T S</u>

P R O C E E D I N G S

(10:15 a.m.)

CHAIRPERSON DAUB: We are on the record. We will continue the 1990 Cable Proceeding with Mr. Lindstrom from Nielsen Company as witness. Mr. Garrett, of Joint Sports, will continue his cross-examination.

Whereupon,

PAUL LINDSTROM

resumed the witness chair and, having been previously duly sworn, was examined and testified further as follows:

MR. LANE: Madam Chairman, at the conclusion of the hearing last night, you asked if we could come up with a compromise position concerning one of PBS' requests, and we have thought about it and are prepared to make the following offer -- that is, if PBS will give us a list of the counties in which the stations, the PBS stations, contained in the Nielsen meter sample, where those signals are carried are as distant stations, we will provide them with the number of People-meter households in those counties in aggregate, subject to a confidentiality agreement.

CHAIRPERSON DAUB: Is this concurred in prior to --

1   MR. HESTER: This is the first I've heard

2   of the compromise, but I appreciate the offer. We'll

3   have to think about that.   I don't know whether we

4   have the data to do it, but we will think about this.

5   MR. LANE: I would point out that in the

6   1989 proceeding, in the rebuttal, that PBS offered

7   exhibits of PBS stations in the distant counties where

8   they were carried.

9   CHAIRPERSON DAUB: We hope that you can

10   resolve this matter.

11   MR. LANE: And if I might, Mr. Lindstrom

12   has a statement related to a question raised by Mr.

13   Garrett that he'd like to make before we start the

14   cross-examination.

15   CHAIRPERSON DAUB: Very good.   Mr.

16   Lindstrom?

17   THE WITNESS: Yesterday, Mr. Garrett, in

18   his cross-examination, had asked questions about how

19   Syndex rules were handled for the diary and the

20   metered study, and had used the example of Cheers and

21   Abbott and Costello.

22   In the case of the diary study, in fact,

23   Syndex protection rules are followed.   Cheers would

24   not be credited with viewing.   It would be protected

25   viewing outside the market where they were blacked

1 out. They, in fact, couldn't be viewed, and the

2 substitute programming would not be treated as if it

3 were GN. It's actually treated as if it were cable-

4 originated programming. It is a separate programming

5 source, and so the viewing would not count against GN,

6 so that the Syndex rules are being followed and

7 credited correctly.

8 In doing this investigation, though, we

9 went a bit further on the meter and uncovered a

10 situation that we think will cause us to need to rerun

11 part of the data.

12 We had actually, in the course of putting

13 together the study, had taken into account the fact

14 that Syndex was in effect and became somewhat over

15 zealous in the way that we approached handling it.

16 We presently, within the metered system,

17 treat WGN and WOR in a slightly different fashion than

18 we do the rest of the stations within the country. In

19 this case, we actually have two separate programming

20 sources. We have the Local station which is WGN, and

21 we have a separate station code for the satellite-

22 delivered service which, again, in the case of the

23 Syndex protection, is what is being fed out to the

24 systems on a distant basis.

25 What we did when we ended up running the

1   data was that we, in fact, only included the local GN

2   station, so that anyone who viewed the local GN

3   station outside of the distant parameters would get

4   the viewing credited. Any viewing that went to the

5   satellite-delivered service, in fact, would not be

6   credited as viewing to GN.

7   In this fashion, we didn't have to end up

8   worrying about the Syndex rules because our normal

9   protection procedures would cover it and, in fact,

10   with the Cheers example, would have been blacked out

11   where they should have been.

12   When the decision had been made when we had

13   been asked about how to handle this, as I said, we

14   wanted -- in a degree of over zealousness said, "Well,

15   of course, we should eliminate the satellite

16   programming". The net result, however, is that in

17   addition to eliminating substitution programming, we

18   eliminated viewing to those programs that were carried

19   simultaneously on GN and the satellite-fed service.

20   We have already put into motion the

21   rerunning of the data, and will be subtracting out the

22   protected programs and running information for the

23   non-protected. The net result, in all likelihood,

24   will end up being slight increases in the percentages

25   -- and it's hard to put a magnitude on it, but just in

1 terms of the dimensioning -- slight increases in the

2 percentages for Syndicated programming and Sports, and

3 probably slight decreases on Local and PBS, the reason

4 being that clearly when the two stations in question

5 and the viewing to them, are going to be all to

6 programs that are not PBS and, in all likelihood, in

7 fact, not local. Therefore, the base on those numbers

8 will be increasing while the numerator will be staying

9 the same.

10   In the case of Syndicated programs and

11 Sports, both the numerator and the denominator will be

12 going up and, as I said, it will probably result in

13 slightly higher numbers for both.

14   CHAIRPERSON DAUB: Thank you.

15   COMMISSIONER DAMICH: How long will it

16 take?

17   THE WITNESS: I should have an estimate

18 very shortly. We're expecting it will be somewhere

19 between a week and a half and two in order to have the

20 rerun data.

21   CHAIRPERSON DAUB: Mr. Garrett?

22   MR. GARRETT: Mr. Lindstrom, I'm just a

23 little confused as to exactly what happened. Could

24 you just explain that again for WGN?

25   THE WITNESS: Okay. There is -- because,

1 as we discussed, using the example that Mr. Garrett

2 drew up here, there are two separate feeds for WGN.

3 There are, in fact, two programming sources, one of

4 which is the Local station, one of which is the

5 programming that's delivered to the uplink to be fed

6 via satellite to systems around the country. Those

7 two programming sources, in some instances, in fact,

8 have different programs, as again was being pointed

9 out, in the case of Cheers, because it would get

10 protection. GN would substitute some other program

11 into its place, so you'd have two separate feeds.

12   In order to be able to properly credit

13 these types of situations when we produce ratings for

14 Syndicated programs, we need to be able to

15 differentiate between those programs that are aired on

16 the Local station versus those that are fed to the

17 satellite service.

18   As I said, in order to -- an issue had come

19 up where the question was raised -- should we include

20 just the local station while considering distant

21 viewing, or should we include the satellite delivery -

22 - our concentration had been on, in fact, the

23 instances where you had substituted programming and,

24 therefore, said, "Well, the satellite only programming

25 should, in fact, be eliminated". In the course of

doing that, what we did was, in fact, eliminated the station code essentially all viewing to the satellite-delivered portion of GN and WOR.

And as I said, the consequence would be programs that were different would not be credited and, in fact, they should not be credited, however, programming that was the same on both feeds should have been credited to the distant viewing and, in fact, were eliminated.

CHAIRPERSON DAUB: Mr. Stewart?

MR. STEWART: Madam Chairman, I'm going to strongly object to the offer or the introduction into evidence of any new revised MPAA viewing study, corrected because of an error that has been pointed out in cross-examination, or discovered as a result of cross-examination.

This very thing has happened in prior proceedings and, in one case in most recent memory, with respect to one of my witnesses. MPAA strongly objected to my witness saying, "Well, we're doing it in a different way from the way that we did it originally", and we were precluded from presenting what the results would have been if we had done it the different way.

We exchanged direct cases in this case

1   under a very tight schedule in this case, in mid-

2   August. We, the parties, have spent resources and

3   time focusing on what has been submitted as evidence.

4   The idea that we now have a moving target

5   as part of the direct case, so we won't know even what

6   it is that MPAA is going to present to the Tribunal as

7   its direct case for a couple more weeks is just not

8   acceptable.

9   And I feel a little -- it's unfortunate

10   that I feel that I have to take this position because

11   we all want evidence that is correct -- that is, the

12   best possible evidence in this record -- but on the

13   other hand, this is a study that has been under

14   development for the better part of this year, I

15   believe, through Mr. Lindstrom, and to have it now

16   changed at this last minute with what Mr. Lindstrom

17   believes is going to be an increase in the percentage

18   viewing share to MPAA, to allow MPAA to substitute for

19   its direct case now is simply unfair and, to me,

20   unacceptable.

21   I will object in very strong terms to any

22   attempt to submit a revised Phase I viewing study

23   exhibit.

24   CHAIRPERSON DAUB: Thank you for your

25   comments. Mr. Garrett?

1   MR. GARRETT: Well, Madam Chairman,

2 although I guess I will be the beneficiary to some

3 degree of such a study, I would have to support NAB's

4 position on this.

5   We have a problem here, as Mr. Stewart

6 outlines, of a study that we got only bare-bones

7 information on to begin with. It's a metered study.

8 It's the first time they've put in a metered study.

9 And there is virtually no back-up included in the

10 direct case with it. And we have spent the last

11 couple of weeks trying to get that kind of information

12 that would allow us to proceed with cross-examination

13 of these witnesses.

14   When we've asked for certain types of data,

15 we've basically been deferred on it until the last

16 minute here. I don't know what we're going to do with

17 data like this that we get in another two weeks, or

18 three weeks. We simply are not going to have

19 sufficient time to prepare to deal with that kind of

20 information, given particularly the schedule that the

21 Tribunal has here. For those reasons, I would also

22 object to their revising a study at this late date

23 here.

24   CHAIRPERSON DAUB: Would you like them to

25 withdraw the information he has just revealed?

1   MR. GARRETT: No.

2   CHAIRPERSON DAUB: Simply that MPAA not

3 resubmit information?

4   MR. GARRETT: Not a new, revised study here

5 that we will then have to go and cross-examine him on

6 again.

7   CHAIRPERSON DAUB: Mr. Stewart?

8   MR. STEWART: Again, while I think we all

9 are interested in having correct data, I think it's

10 appropriate to have Mr. Lindstrom's testimony about a

11 mistake that was made in the methodology for the study

12 stay in the record. That's what cross-examination is

13 about. And now we have their direct case meter-based

14 viewing study in the record, and we know that there

15 was a mistake made in the way it was run. That is the

16 appropriate way to proceed with developing a record in

17 this case.

18   And we can put in rebuttal to that evidence

19 that's in the record, but MPAA ought not to be allowed

20 to resubmit other versions of the study that it chose

21 to put in as part of its direct case.

22   CHAIRPERSON DAUB: Thank you, Mr. Stewart.

23 Any other comments from opposing parties?

24   MR. HESTER: For the record, we would join

25 in the comments of Mr. Stewart and Mr. Garrett. We do

think that the only orderly way for this to proceed is for direct cases to be submitted on a date certain, and parties to have the opportunity for cross-examination as to the record submitted on that date certain.

CHAIRPERSON DAUB: Thank you. Mr. Lane, do you have any comments?

MR. LANE: Yes. We are not going to resubmit the entire study. The methodology is the same. Virtually everything is the same. There are only changes on two channels that are required. All the other 180 channels, the results will not be changed.

I think in redirect I would be able to correct, if this was an error, to correct the number as something pointed out in cross-examination, and that's all that's going to be done here. It's going to correct a numerical error -- it doesn't mean we are doing an entire new study -- and I believe we would have the right on redirect to do that. If the parties want to have additional cross, we recognize that Mr. Lindstrom would have to come back, and that's a price we have to pay. We understand that.

CHAIRPERSON DAUB: Thank you. You've heard Mr. Lane's point, any objection? Mr. Stewart?

1   MR. STEWART: The specific example I was

2   talking about in the 1989 proceeding was a witness of

3   mine who presented distance analyses, and Mr. Lane

4   brought out in cross-examination that he had treated

5   partially distant stations in a certain way. The

6   question to that witness on redirect was, "If you had

7   done it the other way, how would the numbers have come

8   out?" Mr. Lane objected, and his objection was

9   sustained. My witness was not allowed to correct --

10   was not allowed to present evidence about what the

11   numbers would have been if he had done it a different

12   way. That is precisely what Mr. Lane is suggestion he

13   should be able to do now on redirect, and I think the

14   rules should apply equally to both sides.

15   CHAIRPERSON DAUB: Thank you. We will take

16   all your comments under advisement. We will take a

17   one-minute break.

18   (Off the record.)

19   CHAIRPERSON DAUB: Back on the record.

20   The motion that was raised by Mr. Garrett

21   is denied, for the reason that this is assuming a

22   simple correction.

23   In the future, if any other parties come

24   out with elaborate corrections or such, that will be

25   denied. Are you having trouble understanding?

1   MR. GARRETT: That last point wasn't clear.

2   CHAIRPERSON DAUB: It was Mr. Stewart's

3 motion to --

4   MR. STEWART: I, too, am having trouble

5 understanding.

6   CHAIRPERSON DAUB: Your motion is denied.

7 We are granting Program Suppliers -- enabling them to

8 correct simple mistakes that they have found in the

9 course of trying to find some answers to Mr. Garrett's

10 inquiry. In other words, that Mr. Lane will be able

11 to correct any mistake that was made in that report.

12 However, in the future, any other surveys during the

13 cross or whatever, intends to improve or a major

14 correction is being made, that will be denied.

15   Am I correct?

16   COMMISSIONER DAMICH: Let me take a shot at

17 it.

18   The majority of the Tribunal, which is

19 Commissioner Daub and myself, have decided to deny the

20 motion because we believe that the revision is simple

21 and easily understandable and will not delay the

22 proceeding but, in the future, if there are changes

23 that are submitted by Program Suppliers that are

24 elaborate and complicated, then we will monitor those

25 closely.   But in this particular instance, we feel

that there will not be great prejudice. And Commissioner Goodman excepted.

MR. STEWART: I except your ruling. I believe these will be very substantial prejudice. I would ask, though, that in light of that ruling you direct MPAA to deliver this correction within one week, that MPAA be required to deliver all of the underlying data, which we have asked for for now several weeks, along with that correction so that we can test that, and that Mr. Lindstrom be brought back for further cross-examination on that revised study because my expectation is that instead of the 10 million minutes that Mr. Garrett was talking about yesterday, this minor correction basically involves another 10 million minutes, or 5 million, or something like that. That's the order of magnitude I believe this error probably has produced.

I think it ought to be resubmitted on a timely basis. We need the underlying data, and we need to have him brought back for further cross-examination before the end of September. I would ask that you consider supplementing your decision with those conditions.

CHAIRPERSON DAUB: I hope Mr. Lane understood our decision to be simple corrections.

1   MR. LANE: We did understand that, and we

2   did say that we would bring Mr. Lindstrom back.

3   CHAIRPERSON DAUB: Commissioner?

4   COMMISSIONER GOODMAN: Mr. Lane, to perhaps

5   simplify the motion by NAB, can you comply with his

6   request?

7   MR. LANE: If Mr. Lindstrom --

8   COMMISSIONER GOODMAN: Let me rephrase that

9   before you answer that. Do you anticipate that your

10   action will comply with his request in terms of

11   timeliness?

12   MR. LANE: Mr. Lindstrom testified that it

13   couldn't be done for a week and a half or two weeks,

14   and Mr. Stewart's request is that it be done in a

15   week. If Mr. Lindstrom has just told you it can't be

16   done, I'm not going to turn around and say it can be.

17   I think that part can be done in a week. The second

18   part is the underlying data, and I've told you that

19   we're going to have a motion for reconsideration,

20   which we fully intend to file as quickly as we can,

21   saying that we should get that information, and that

22   still remains our position.

23   But to answer your question, I guess, yes,

24   we will get the information. My understanding from

25   Mr. Lindstrom is that it will take a week and a half

1 or two weeks. We will supply it as quickly as it's

2 available, and Mr. Lindstrom will be available for

3 cross.

4   CHAIRPERSON DAUB: Thank you. Mr. Hester?

5   MR. HESTER: Not to belabor this, but I did

6 want to point out that this sort of error is precisely

7 why the parties ought to be able to see the results by

8 programs and by stations broken down, so that we have

9 the opportunity to identify this sort of error.

10   If Mr. Garrett hadn't pursued this line of

11 cross, it never would have been revealed to us. And

12 there's no way to know simply by looking at the

13 aggregated data, what other sorts of mistakes may

14 underlie this meter study. It reinforces the reason

15 why the parties ought to have information that

16 disaggregates the viewing data, and it shows why the

17 parties are not being given enough opportunity to

18 examine how this study was prepared.

19   I would ask, again, that it be made clear

20 today, right now, that the Program Suppliers should

21 proceed ahead to give us these underlying data by

22 program and by station, and that if there is going to

23 be a time lag in the preparation of that data, as Mr.

24 Lindstrom indicated, they should get going on it right

25 now.

1   One of the concerns I have, in fact, is

2   that with this discussion of a motion for

3   reconsideration, time is being lost that could

4   otherwise be devoted to preparing the underlying data

5   that we need, and that we surely ought to get,

6   particularly now if they are going to go back and

7   rerun a number of these results that affect all the

8   categories.

9   CHAIRPERSON DAUB: Thank you, Mr. Hester.

10   Mr. Lane --

11   MR. LANE: Could I just make a comment?

12   CHAIRPERSON DAUB: Sure.

13   MR. LANE: First of all, the information

14   did come out on cross, so it clearly can be discovered

15   on cross without the underlying data.

16   Second, we do not have the underlying data.

17   We were able to perceive this from the information

18   that we supplied to the other parties. We do not have

19   any additional information about the meter study that

20   any of the parties do not have. We don't have that

21   information. And Mr. Lindstrom, Ms. Kessler, and

22   myself looked at the information that has been

23   supplied to the other parties, and were able to

24   determine largely what happened, and then it was

25   confirmed by Nielsen people in Dunedin this morning.

1   So, I would suggest, first of all, it was

2 uncovered in cross, so it is possible to find these

3 types of errors in cross. Second, we were able to

4 verify it from information that's supplied to the

5 other parties. So, they have full information to

6 uncover data like this. And I don't want to go over

7 all the points that Mr. Lindstrom made yesterday about

8 why the additional information that they're requesting

9 should not be made available, but I incorporate those

10 into this statement.

11   CHAIRPERSON DAUB: Thank you, Mr. Lane.

12   MR. GARRETT: Madam Chairman, may I just

13 have a clarification here as to the procedure is going

14 to be? Is there a date certain by which Mr. Lindstrom

15 has to produce this revised meter study?

16   COMMISSIONER DAMICH: Mr. Lindstrom, can

17 you give us a date certain?

18   THE WITNESS: I would feel comfortable in

19 saying two weeks and trying to get it as quickly as I

20 can. If we can get it within a week, we'll deliver it

21 within a week, but I would feel uncomfortable saying

22 that we could. Two weeks I think we can do for sure.

23   CHAIRPERSON DAUB: The 23rd?

24   MR. GARRETT: Then my next question is, how

25 much time will we be afforded in order to review the

1   revised study, to make whatever additional document

2   requests that we need in order to prepare for cross-

3   examination of Mr. Lindstrom?

4   MR. LANE: Well, if I could just make a

5   statement about that: We have already committed to a

6   number of out-of-town witnesses for the hearing dates

7   from the 27th to the 30th. So, just as a matter of

8   comity to those witnesses who are largely out-of-town

9   witnesses, we would fill up at least those four days

10 with witnesses. So, I would suspect that Mr.

11 Lindstrom couldn't come back on the stand probably

12 until those witnesses were free, so that would be at

13 least an additional week. I don't know what your

14 schedule is beyond the end of this month -- unless the

15 parties want him to come back right away, but I assume

16 from Mr. Garrett's statement they don't. I'm just

17 saying, as a practical matter, it seems very unlikely

18 that he could, given the hearing schedule and our

19 other commitment to witnesses.

20   MR. GARRETT: Well, Madam Chairman, my

21 concern is I don't want to delay these hearings given

22 the scheduling concerns that we all understand here.

23 By the same token, I don't know what this revised

24 study is going to be, and what additional information

25 I'm going to require in order to effectively cross-

1   examine Mr. Lindstrom on this.

2   I don't want to have this study dumped on

3   my lap on day one, and then on day two have to be in

4   the hearing room here to cross-examine him about it,

5   without having the opportunity to make whatever

6   request for underlying documentation that I need. I

7   don't know how you balance those concerns. I mean,

8   it's those kinds of concerns that prompted my response

9   that I didn't think that he should be allowed to do

10   what it is that he's going to do.

11   CHAIRPERSON DAUB: Well, Mr. Lane still

12   could make those corrections on redirect.

13   MR. GARRETT: Then he ought to be allowed

14   to go ahead and make him during his redirect this

15   afternoon.   I'm not sure what information is

16   available. But I'm not going to reargue the motion

17   that you've already ruled on, I'm simply telling you

18   that it's these types of concerns here that are at the

19   heart of our objection to this kind of procedure here.

20   Let me also tell you that if he's going to

21   come back with a new study, then I would reserve the

22   right to defer the remainder of my cross-examination

23   until he does come back, and then to cross-examine him

24   entirely. I don't want to have to split up my cross-

25   examination.

1   CHAIRPERSON DAUB: The ruling that we just

2   delivered earlier was on the basis that this was -- I

3   thought I made it very clear -- it was a simple

4   correction. In the event that Program Suppliers came

5   up with a whole new version, that we would reconsider,

6   and that being the case, two weeks is when he is

7   supposed to submit those numbers, which comes to be

8   September 23rd, and Mr. Lane has other out-of-town

9   witnesses, I would presume you would have a week or so

10   to examine those numbers and bring Mr. Lindstrom back

11   on the stand, should you decide to cross him further.

12   COMMISSIONER DAMICH: I'd like to make a

13   comment. First of all, the Tribunal has already ruled

14   that it will be necessary for you to fragment your

15   cross-examination if you wish to obtain the

16   information that you have requested. I know that that

17   is not an optimal situation, but I think given the

18   time frame we have to live with that.

19   I think that two weeks from today is, what,

20   September 23rd. If the study or the error is

21   corrected -- I wouldn't call it a revised study so

22   much as an error correction -- if the error correction

23   is completed by September 23rd, then what about

24   October 4th as the time for Mr. Lindstrom to take the

25   stand again on that issue?

1   MR. GARRETT: Commissioner, I'd just say

2   that I've instructed our witnesses, Commissioner Stern

3   and Mr. Bortz, that they would be testifying beginning

4   on the 4th, or at least the 5th, depending on what the

5   Tribunal's preference was. If there's going to be

6   another date, I would suggest October 1st, which is,

7   I believe, that Friday, at the end of MPAA's case.

8   COMMISSIONER DAMICH: Is October 1st

9   agreeable?

10   MR. LANE: It is for me.

11   COMMISSIONER DAMICH: Okay, good, October

12   1st.

13   CHAIRPERSON DAUB: Mr. Hester?

14   MR. HESTER: Let me renew my request that

15   the Tribunal make a decision now in relation to this

16   question of the underlying data, about results by

17   program and by station, so that we can have that as

18   well in advance of October 1st.

19   COMMISSIONER GOODMAN: Weren't the parties

20   going to meet after the close of yesterday's hearing,

21   to discuss the possibility of compromising on their

22   positions?

23   MR. HESTER: Well, we didn't meet. I did

24   go back and scratch my head. I tried to scratch Mr.

25   Garrett's -- he was too friendly about that.

1   (Laughter.)

2   It seems to me that there isn't a realistic

3   alternative to having the information in a

4   disaggregated fashion by program and by station

5   because there's no way to see where the aggregated

6   numbers come from, unless you have a chance to examine

7   the underlying data from which those results were

8   ultimately computed.

9   What we are left with is essentially a

10   "black box" where we get a final number, but there's

11   no way to see where it was built up. And I did think

12   about a compromise, but I wasn't able to come up with

13   one.

14   COMMISSIONER GOODMAN: Wouldn't it have

15   been helpful to, for example, look at a limited number

16   of stations, limited number of programs, in order to

17   determine the methodology used just in that microcosm?

18   MR. HESTER: Well, I think that it would be

19   helpful to see some sample stations, to see the

20   results by station, but it would also be helpful to

21   see the results by program and, for that purpose, you

22   would really want to see the results across all of the

23   stations as those results have been provided in the

24   diary study.

25   I would also presume -- you might want to

1   put this to Mr. Lindstrom -- but I would presume that

2   it wouldn't change the burden much, if you're doing a

3   run on the whole thing as compared to a sample. But

4   the fundamental question is, should we get the

5   underlying information down to the program and station

6   level, and I think there's no way to evaluate whether

7   there are other errors. There's no way to evaluate

8   how this study may relate to the diary study that's

9   also been submitted, unless you have something that

10   goes behind the single sheet -- which is all we have

11   right now is a single sheet -- showing the results,

12   and clearly the results were not tabulated that way.

13   They are resident in the computer, and they

14   do exist. I would presume, in fact, the computer was

15   consulted this morning to verify the error that's been

16   identified, and I think the parties ought to have

17   that. But my concern is that if it remains unsettled

18   as to whether we're going to get that, ultimately the

19   data will come too late to be of any benefit to

20   anybody.

21   COMMISSIONER GOODMAN: But Mr. Lindstrom

22   said that it would take -- didn't you say

23   approximately four and a half weeks to produce that

24   information?

25   THE WITNESS: I'm saying that that would be

1   a guess. I'm not even completely sure. I would say

2   that, in fact -- just in comment to one of the things

3   that you said -- that there is, in fact, a substantial

4   difference between doing all stations and a limited

5   number of stations. Each station is kind of -- if you

6   think about it as a matrix, essentially your slices

7   are by station in terms of anything that's done, so

8   that the difference between doing one station and 180

9   is 180 times the size of the job.

10   Picking and choosing programs among whole

11   slews of stations, it's difficult to tell what the

12   impact of that is, but I would say certainly that, as

13   you suggested, that, in fact, some sort of microcosm

14   would be possible given the sample size limitations

15   that I've talked about.

16   COMMISSIONER GOODMAN: I strongly encourage

17   you to an accommodation because what we seem to be

18   crashing toward is a situation where Nielsen will

19   simply be unable -- or at least claim it will be

20   unable to provide the information, at best, in four

21   and a half weeks, and also for an amount of money that

22   nobody may want to pay. That's at best. And my

23   prediction is that -- I think for all parties -- that

24   they would respond in one of two ways: You get it in

25   four and a half weeks for $250,000, or they may simply

1   say, "We're not going to give it to you at all", in

2   which case the Tribunal may weight the evidence.

3   I don't know if that's what you want, but

4   that seems to be what we're headed towards if there's

5   not a compromise. I think that's the alternatives

6   that you're going to face.

7   MR. LANE: May I just make a comment? One

8   thing that I think we're going to point out in our

9   reconsideration motion, and I'll state it here, is

10   that there is a fundamental misunderstanding by Mr.

11   Hester and the parties that are requesting that

12   somehow the metered study is built up from the

13   individual program viewing data as the diary-based

14   study is built up from the individual program data.

15   In the diary study, as you know, when you

16   look at the individual programs, you add them all up

17   and you can go back and just subtract one program and

18   that's subtracted from the total.

19   The meter-based study is based on an

20   entirely different way of analyzing data. It is not

21   based on building blocks, as Mr. Lindstrom testified

22   repeatedly yesterday, trying to make that point.

23   So, there's a fundamental misunderstanding

24   on the parties' part that somehow these building

25   blocks are the same in the two studies. They are not

the same types of study and, therefore, they are calculated in different ways, and the information that is being requested is not the same information. It's not used the same way. It wouldn't give you the same results. As Mr. Lindstrom testified, it just wouldn't show you anything.

COMMISSIONER DAMICH: Let me ask, Mr. Lindstrom, if the kind of error that you have discovered, would have been discoverable by Joint Sports Claimants if they had had this information of station and program?

THE WITNESS: It would have been discoverable based on simply the listing of programs that went into each bucket, which is what we said is kind of the fundamental building block, so that when you take it a step further and say, well, if you had that information and also amended viewing, too, would it have been able to find? Yes, of course, but it would have been able to be found without the viewing data as well.

MR. LANE: And that, Commissioner Damich, is the information that we looked at, which has been provided to the parties, which is a list of all the programs on each of the metered stations and the categories to which it was put.

1   COMMISSIONER DAMICH: Is that correct, Mr.

2   Hester?

3   MR. HESTER: We received this printout last

4   night -- that's right, we did receive it last night,

5   after the first day of cross-examination, but we did

6   receive it last night.

7   Let me just respond to Mr. Lane's comment

8   about   whether   we're   misunderstanding   or

9   misapprehending this study.   I admit I'm not a

10   statistician myself, but what we're asking for are the

11   underlying observations from which the study results

12   are derived.

13   These   are   observations   and   they   are

14   disaggregated observations that lead up to the final

15   results, and those are the field observations from

16   which they built their study. And the ability to look

17   not only at program categories, but how much time is

18   assigned   to   different   programs   or   to   different

19   stations   is   very   important   to   seeing   how   they

20   ultimately got to their final numbers.

21   Now, the suggestion of a compromise on the

22   number of stations and the number of programs would

23   probably be acceptable to us, PBS, anyway -- I can't

24   speak on behalf of others who have also asked for this

25   -- but if there is a meaningful slice that can be

1 generated by the 23rd of September along with this

2 revision or correction to the study, I would submit

3 the Tribunal should order that to be done, and that

4 it's really up to MPAA and Nielsen to give us as much

5 information as is reasonable in that time frame, and

6 that it still ought to go to the weight as to whether

7 they've given enough documentation of their study, but

8 I would ask the Tribunal to direct MPAA to give us as

9 much of the underlying documentation as is feasible by

10 this date of September 23. I think that's a fair

11 compromise, without my trying to come up in advance

12 with some parameters that may or may not be reasonable

13 or that may be less than could reasonably be done

14 within these two weeks. And that's what I would

15 request be done.

16 MR. LANE: Madam Chairman, I would just

17 make two comments. First of all, Mr. Hester already

18 has the time information, which is in the same

19 printout that he has. So, he already has what he

20 considered and he stated was a major piece of

21 information. He has the time for each program, each

22 station, by categories, in the same printout. He

23 already has that.

24 The second comment I would make is that we

25 are not prepared to go and undertake some sort of a

1   study that no one else has agreed to. And we'll do

2   the best -- go ahead and do the best you can until

3   September 23rd, and then whatever you come in with you

4   can be sure that all the other parties will say it's

5   incorrect, it's not enough. And I mean that because

6   it's happened repeatedly.

7   And if you're going to order us to do

8   something, it's going to only be by agreement of all

9   the parties before we undertake it. I can tell you

10   that for certain right now.

11   COMMISSIONER GOODMAN: We, of course, have

12   already ordered you to do something.

13   MR. LANE: I understand that, but I would

14   point out, first of all, that I did not respond to the

15   PBS motion, so you've never seen an opposition from

16   me. And I've also pointed out that I'm filing a

17   motion for reconsideration. So, I would hope that you

18   would take that into account when you consider my

19   reconsideration motion.

20   CHAIRPERSON DAUB: Mr. Garrett?

21   MR. GARRETT: Madam Chairman, unless the

22   Tribunal has further questions, may I proceed with my

23   cross-examination?

24   COMMISSIONER DAMICH: I think we should

25   decide when we're going to decide, though, right? I

1   think we decided in yesterday's proceeding that Mr.

2   Lane would make his motion for reconsideration

3   tomorrow. Is that everyone's recollection?

4   COMMISSIONER GOODMAN: I'm not sure we

5   could decide when he would make his motion. I think

6   we decided that we wanted to consider the motion for

7   reconsideration that he already made, actually hold

8   that in abeyance until the parties reported back to us

9   their progress with accommodating --

10   COMMISSIONER DAMICH: Well, then he might

11   file a motion for reconsideration.

12   MR. LANE: As you recall, PBS made a two-

13   part motion, and the first part of the two-part motion

14   we had answered the last question you asked if there

15   was a compromise position. We have suggested one this

16   morning.

17   On the second part of the PBS motion is

18   really what my reconsideration will largely address.

19   COMMISSIONER GOODMAN: I guess I could just

20   speak out loud what I would like to see. I'd like to

21   give the parties another crack at talking about

22   whether they could accommodate this station/program

23   request on a limited strata, on a microcosm, that

24   might be satisfactory to both the parties and

25   something which MPAA could accommodate. I tend to

1   agree with Mr. Lane that we need to make it specific

2   to measure the performances, that Nielsen knows what

3   it needs to do.

4   If they can report on that when we come

5   back from lunch, I think at that point I'd like to

6   take a brief break and, I guess, invite Mr. Lane to

7   make his motion for reconsideration and he can either

8   make it or not make it. If he chooses not to make it,

9   at least we can rule on the motion that he has made.

10 If he does make his motion on the second issue and

11 request two motions to resolve, he can do that

12 immediately after coming back from lunch.

13   CHAIRPERSON DAUB: Mr. Hester has expressed

14 his own question. I'd like to pose a question to the

15 rest of the opposing parties, if what he has suggested

16 is satisfactory to you all, with regard to the date of

17 the 23rd to have -- Mr. Hester, you had two things?

18   MR. HESTER: Right. My suggestion would be

19 that we wait -- I'll try to consult with my cohorts at

20 lunchtime, and we'll try to see if those who have

21 requested the underlying data are agreeable to some

22 sort of sample of programs, sample of stations, and

23 then we'll report to you after the lunch break. Is

24 that all right?

25   CHAIRPERSON DAUB: That will be fine.

1   Mr. Garrett, would you please continue

2 crossing Mr. Lindstrom?

3   MR. GARRETT: Thank you, Madam Chairman.

4 I don't want to appear over-eager to do this, but it's

5 obvious I don't need any documentation in order to

6 cross-examine Mr. Lindstrom.   If I had this

7 documentation, I'd probably mess it up.

8   (Laughter.)

9   **CROSS-EXAMINATION** (Resumed)

10   BY MR. GARRETT:

11   Q   Mr. Lindstrom, let me just understand here,

12 the error that you've talked about here is one that

13 affects stations WWOR and WGN, is that correct?

14   A   That's correct.

15   Q   Is it fair to say that WWOR and WGN were

16 two of the three most widely carried distant signals

17 in 1990?

18   A   Yes, it is.

19   Q   And would it also be fair to say that those

20 two signals alone accounted for approximately 20

21 percent of the viewing in your diary-based study?

22   A   I don't know what the percentages are off-

23 hand, but it doesn't sound unreasonable.

24   Q   And we would be able to calculate that for

25 certain by looking at MEK-8 in this proceeding, is

1   that correct?

2   A   That's correct. I would say -- I mean, one

3   qualifier on that is that the base on the diary study

4   is limited to stations which, in fact, had greater

5   than 80,000 distant subscribers, distant cable

6   subscribers, as opposed to a sample frame of all

7   stations with distant carriage, so that any

8   percentages coming off from there would be higher than

9   what, in fact, the percentages would be based upon the

10 metered data. It would give you an approximation.

11   Q   Twenty percent would be a fair

12 approximation of the amount of viewing to WGN and

13 WTBS?

14   MR. LANE: No, OR.

15   COMMISSIONER GOODMAN: Your counsel is

16 correct.

17   THE WITNESS: Without seeing the data in

18 front of me, I couldn't say for sure, but it sounds

19 like it is probably a reasonable approximation.

20   BY MR. GARRETT:

21   Q   And the error that you described here is

22 one that certain of the programming on WGN and WWOR is

23 not thrown into any "buckets", is that right?

24   A   That what we did was we only looked at

25 viewing to the Local station and not to what we call

WGN cable, which is a satellite-fed service.

Q   Mr. Lindstrom, my understanding is that there were no FCC Syndex rules in effect in 1989, is that your understanding as well?

A   From what we talked about yesterday, yes.

Q   Therefore, the FCC Syndex rules would not have had any effect on the 1989 diary-based viewing study that Nielsen did for MPAA, is that correct?

A   That would be correct.

Q   My understanding also, Mr. Lindstrom, is that the FCC Syndex rules required cable operators to black out Syndicated programs and movies on distant signals under certain circumstances.   Is that your understanding?

A   That's correct.

Q   And if a local broadcaster had exclusive rights to a movie or a series, that broadcaster could request the cable system to black out that movie or series on the distant signal, is that correct?

A   That is correct.

Q   Now, in response to the FCC rules, we had two resale carriers who blacked out the programming -- certain of the Syndicated programming on WGN and WWOR, correct?

A   That is correct.

Q   And in place of that programming, they substituted other programming which was then delivered to cable subscribers, correct?

A   That is correct.

Q   And the problem that we've discussed here is one that arises from that substitution, correct?

A   That is correct.

Q   Now, do you know how many, or can you identify for us the particular substitute programs that were delivered to cable subscribers on WWOR and WGN?

A   Could I now, or is it possible to do?

Q   Well, I assume you can't do it now, is that correct?

A   That is correct.

Q   But you could identify all the substitute programs?

A   That is correct.

Q   And how long would it take you to do that?

A   That is part of the process we will have to do in the revamping of the data for the metered study.

Q   So, when you provide us with this revamped study, you could provide us with a list of that substitute programming, correct?

A   That is correct, we would provide you with

1 a list that would identify which programs were

2 substitute programming and, therefore, deleted.

3 COMMISSIONER GOODMAN: Madam Chairman, may

4 I request that the Tribunal direct Mr. Lindstrom to

5 provide such a list at that time?

6 CHAIRPERSON DAUB: Mr. Lindstrom, will you

7 provide such a list to the opposing parties?

8 THE WITNESS: Yes, we will.

9 COMMISSIONER GOODMAN: Madam Chairman, at

10 this point, I would like to question Mr. Lindstrom

11 concerning certain of the data that they have provided

12 us and that are subject to the confidentiality

13 agreement that I had discussed yesterday.

14 So, I believe at this point forward in the

15 transcript, unless Mr. Lindstrom later says otherwise,

16 the material needs to be treated as confidential and

17 kept under seal.

18 (Discussion off the record.)

19 MR. GARRETT: Madam Chairman, at this point

20 I would like to have marked a document as Sports

21 Exhibit 2-X.

22 (Whereupon, the document

23 was marked for

24 identification as Exh.

25 No. JCS 2-X)

NEAL R. GROSS

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BY MR. GARRETT:

Q   Mr. Lindstrom, let me ask you to take a look at Sports Exhibit 2-X, and could you identify it for the record, please?

A   This is a summary that was produced by our people in Florida, of the household-by-household data that was supplied to Joint Sports as a result of a compromise that had been worked out earlier on request for home-by-home data.

Q   The first page of Sports Exhibit 2-X consists of a letter from Jean Watson at Nielsen, to my colleague Mr. Portnoy, and it's dated July 23, 1993, is that correct?

A   That is correct.

Q   And could you identify for the record who Ms. Watson is, please?

A   Jean Watson is the person in our production offices in Florida, who is responsible for coordinating the production of the MPAA study that is submitted for the CRT.

Q   And this letter also shows that P.B. Lindstrom was copied, correct?

A   That's correct.

Q   And so you did receive a copy of this letter on or around July 23, 1993?

1   A   Yes, I did.

2   Q   Now, the letter describes the information

3 that Nielsen produced to the Joint Sports Claimants in

4 general terms, correct?

5   A   That is correct.

6   Q   And that information consisted of certain

7 hard copy pages which follow, as well as certain

8 diskettes, correct?

9   A   That is correct.

10   Q   Mr. Lindstrom, let me just ask you to turn

11 to -- well, let me ask you this as a preliminary

12 matter.   Is it necessary to treat all of the

13 information on Sports Exhibit 2-X as confidential?

14   A   No.

15   MR. GARRETT: Madam Chairman, if that's the

16 case, then perhaps we don't need to have this portion

17 of the transcript marked as confidential nor do we

18 need to give confidential treatment to Sports Exhibit

19 2-X. And, Mr. Lindstrom, if, at anytime during the

20 course of my questioning, you feel that we are getting

21 into an area that requires the operation of the

22 confidentiality agreement, would you advise the

23 Tribunal?

24   A   Yes, I will.

25   Q   Mr. Lindstrom, let me ask you to turn to

1 the May 1990 data, that's three pages from the back.

2 Do you have that before you?

3   A   Yes, I do.

4   Q   Let me tell you my understanding of each of

5 the pieces of information on this page here, Mr.

6 Lindstrom, and you tell me if my understanding is

7 correct, okay?

8   A   Yes.

9   Q   In the first column under Program Viewed,

10 it identifies the particular program for which we

11 sought data, correct?

12   A   That is correct.

13   Q   And in this particular case here, in the

14 first column, the first entry refers to Cubs Baseball

15 Daytime?

16   A   That is correct.

17   Q   In the second column, we see the heading

18 Total Households, is that correct?

19   A   That is correct.

20   Q   And my understanding is that refers to the

21 total number of diary households that reported viewing

22 of any sort to Cubs Baseball Daytime, during May 1990,

23 is that correct?

24   A   That is correct.

25   Q   One would refer to that as a Cume number,

1   or could one refer to that as a Cume number?

2   A   I'd probably refer to it as a gross number.

3   Cume has a very specific type of definition.

4   Q   How would this be different from a Cume?

5   A   The diary is a seven-day measurement tool

6   and, during the course of any given sweep, which lasts

7   for a month-long period -- in this case, May of 1990 -

8   - there are four independent samples.

9   The   Cume   figure   generally   is   an

10   identification of the total audience or the total

11   number of people who would have watched some portion

12   of a game, very frequently looked at on an average

13   week basis.

14   In this case, if you were to try and

15   identify the approximate Cume audience, or total

16   number of people who saw something, you would really

17   have to divide this number by 4, since you have four

18   separate one-week samples and, in that way, could

19   approximate a number. So, this is really saying that

20   this is the total number of homes that we found within

21   the four independent measurements that occurred during

22   May.

23   So, as I said, a Cume tends to mean

24   specifically something with the audience. This is, I

25   guess, a gross sample size, would be the best way to

1   refer to it.

2   Q   Would one say that if we divided the 1593

3   by 4, you'd get something like 450 households, would

4   that number be a Cume?

5   A   Reasonable approximation of one.

6   MR. LANE: It's less than 450 households.

7   MR. GARRETT: Where is Mr. Stewart when I

8   need him?

9   MR. STEWART: You need my calculator.

10   (Laughter.)

11   MR. GARRETT: I know, I was just trying to

12   get those bigger numbers for the Cubs, that's all.

13   BY MR. GARRETT:

14   Q   But what it shows, though, is that there

15   were 1,593 different households that reported in at

16   least a quarterhour of viewing to Cubs Baseball

17   Daytime during May 1990, correct?

18   A   That is correct.

19   Q   And the next column over shows the number

20   of Diary Households during the four sweep periods in

21   May 1990 that reported viewing to Cubs Baseball

22   Daytime during the average quarterhour?

23   A   That is correct. And, again, just to make

24   sure that it was clear, that that is the number of

25   sample homes, it's not a projected value. It's saying

1 we found 185 households in our sample viewing during

2 the average quarterhour for Cubs Day Baseball.

3   Q   And if we go all the way over to the final

4 column entitled Average Proj -- I assume that stands

5 for Average Projection?

6   A   That is correct.

7   Q   And my understanding is that you are

8 projecting that those 185 households would have

9 translated into 473,739 households that viewed Cubs

10 Baseball Daytime during the average quarterhour?

11   A   That is correct.

12   Q   Now, if I go all the way down to the final

13 line item, we see entitled WKRP in CINN, do you see

14 that?

15   A   Yes, I do.

16   Q   And that refers to the program WKRP in

17 Cincinnati, correct?

18   A   Yes, it does.

19   Q   And I see under Total Households that there

20 is a zero, correct?

21   A   That is correct.

22   Q   That means that any viewing of WKRP in

23 Cincinnati was not included in the Nielsen diary-based

24 study, correct?

25   A   That means that -- I'm trying to figure out

how to phrase it in the right way because I think it's

important -- that that is a reflection of the fact

that those stations received protection and,

therefore, were not credited with viewing.

Q   You said "stations", you mean programs?

A   Programs.

Q   And the same would be true for Cheers,

which is on the penultimate line, correct?

A   That is correct.

COMMISSIONER GOODMAN: Madam Chairman, at

this point, I'd like to have this marked as Sports

Exhibit 3-X.

THE WITNESS: This would be the material

that would be confidential.

COMMISSIONER GOODMAN: So, from this point

forward, we should treat any testimony of Mr.

Lindstrom as well as Sports Exhibit 3-X as

confidential.

COMMISSIONER DAMICH: Phyllis, would you

treat it as such.

(Whereupon, examination of the witness

continued and is transcribed under confidential cover

at page 256.)

1   (Whereupon, examination of the witness

2   resumed.)

3   MR. GARRETT: Madam Chairman, at this point

4   I'd like to have marked a document as Sports Exhibit

5   4-X.

6   (Whereupon, the document

7   was   marked   for

8   identification   as   Exh.

9   No. JCS 4-X)

10   COMMISSIONER   GOODMAN: Is   this   a

11 confidential document?

12   MR. GARRETT: Let me just explain to the

13 witness -- what I have done here is simply have our

14 computer people extract from the diskette that we

15 received from Nielsen the number of unique dates on

16 which the diskette reported viewing in households to

17 WGN's Prime Movie. That, I don't think, would be

18 considered confidential.

19   THE WITNESS: No, that would not be

20 confidential. The question will come how much Mr.

21 Garrett will be cross-referencing the home-by-home

22 information. So, whenever we get into the home-by-

23 home data is the confidential portion of the

24 information.

25   COMMISSIONER GOODMAN: So that we are

1   treating -- and hopefully we are -- that we're

2   treating exhibits in a confidential pile -- as you

3   were saying, in a bucket -- and a non-confidential

4   bucket.

5   THE WITNESS: Right, this can go in the

6   non-confidential bucket.

7   MR. GARRETT: So, I guess we're back now in

8   the transcript to the portion where we don't have to

9   treat as confidential because my questions do not

10   involve home-by-home information. If, at anytime, you

11   feel uncomfortable and want to go back to the secret

12   stage, let me know.

13   BY MR. GARRETT:

14   Q   Mr. Lindstrom, let me give you the complete

15   printouts of the information that you provided us and

16   from which I extracted the information on Sports

17   Exhibit 4-X. At any point in my cross-examination you

18   feel it's necessary to refer to that, please feel free

19   to do so.

20   A   I'd have a tough time finding what I need

21   to in that.

22   Q   Let me just ask you to refer to the one

23   pile for February, do you have that before you?

24   A   Okay.

25   Q   Mr. Lindstrom, could you just confirm for

1   me that your data --

2   A   Again, if the reference is to it --

3   Q   I'm not going to ask anything about the

4   individual home-by-home information, I just want you

5   to confirm for the record here that, in fact, your

6   data does show that there were households that

7   reported viewing to the WGN Prime Movie on each of the

8   dates listed here on the first page of Sports Exhibit

9   4-X.

10   A   (Perusing document.)   Yes, there are

11   Viewing Households for each of those dates.

12   COMMISSIONER GOODMAN: At this point, I'd

13   like to have marked a document as Sports Exhibit 5-X.

14   (Whereupon, the document

15   was   marked   for

16   identification   as   Exh.

17   No. JCS 5-X)

18   BY MR. GARRETT:

19   Q   Mr. Lindstrom, I will represent for the

20   record that this reflects certain data that we were

21   able to obtain a week ago from Cable Data Corporation.

22   You are familiar with Cable Data Corporation, are you

23   not?

24   A   Yes, I am.

25   Q   And Cable Data Corporation is the entity

1   that you provide the viewing data to for purposes of

2   the MPAA viewing study, is that correct?

3   A   That is correct.

4   Q   The Cable Data Corporation takes the data

5   that you have provided and merges that with other

6   information that they have, to produce the study that

7   has been submitted to the Tribunal by the MPAA,

8   correct?

9   A   That is correct.

10   COMMISSIONER GOODMAN: Excuse me -- I

11   assume this is also non-confidential. Should we just

12   assume that all of these documents are non-

13   confidential unless Mr. Lindstrom tells us otherwise?

14   THE WITNESS: Yes, that will be fine.

15   MR. GARRETT: The Tribunal will note that

16   when Mr. Larson ran Sports Exhibit 5-X. He identified

17   joint copyright owners as Garrett, Kessler, Lane and

18   Larson. So, Dennis, I think you're entitled to an

19   accounting for whatever profits I derive from this

20   exhibit here.

21   (Laughter.)

22   BY MR. GARRETT:

23   Q   Now, as Mr. Larson has explained this

24   exhibit to me, Mr. Lindstrom, we have for WGN a

25   listing of all the movies for which viewing was

1 credited in the MPAA/Nielsen diary-based viewing

2 study. Do you understand the different columns of

3 information in Sports Exhibit 5-X?

4 　　　　A　　I believe so.

5 　　　　Q　　Now, if I take a look, for example, on

6 February 1, it shows at time 0030, WGN broadcast the

7 Ghost Goes Wild for 60 minutes, correct?

8 　　　　A　　That would be the way I would read it, yes.

9 　　　　Q　　And that there were no households that then

10 reported any viewing, or else the households that

11 reported viewing were excluded from the MPAA study

12 because of the Syndex concerns we discussed earlier,

13 correct?

14 　　　　A　　I would assume so, yes.

15 　　　　Q　　Mr. Lindstrom, I don't find a listing to

16 any WGN Prime Movie in Mr. Larson's listing for

17 February 1, 1990 during prime time, do you?

18 　　　　A　　I do not see one here, no.

19 　　　　Q　　But the data you provided me indicates that

20 there were, in fact, a number of households that

21 viewed --

22 　　　　A　　That is correct.

23 　　　　Q　　I'm sorry -- viewed the Prime Time Movie on

24 WGN during February 1, 1990, correct?

25 　　　　A　　That is correct.

1   Q   Can you explain to me why the data that you

2 have provided me does not correspond to the data that

3 Cable Data Corporation has provided me with respect to

4 the February 1 Prime Time Movie on WGN?

5   A   I have no idea what Cable Data did. I

6 couldn't begin to answer that question.

7   Q   Cable Data Corporation should have reported

8 viewing to the Prime Time Movie on WGN, should it not?

9   A   Again, without knowing what rules they used

10 in order to compile that list, I really couldn't say.

11 I would say that there appears to be a Prime Time

12 Movie that was, in fact, on on WGN.

13   Q   And that should have been picked in the

14 MPAA viewing study, correct?

15   A   That is correct.

16   Q   But it does not appear that it was picked

17 up in the MPAA viewing study, is that correct?

18   A   I have no idea exactly what this list is.

19   Q   Mr. Lindstrom, let me just go to the second

20 entry on Sports Exhibit 4-X. You see that shows that

21 you also provided me with data indicating that Prime

22 Time Movie was viewed on February 2, 1990, in a

23 certain number of diary households?

24   A   That is correct.

25   Q   And, in fact, you can confirm that by

1   looking at that stack of papers that I previously

2   handed you?

3   A   That is correct.

4   Q   If I go to Sports Exhibit 5-X for February

5   2, 1990, I do, in fact, see a reference to a movie

6   shown in Prime Time beginning at 1900 hours, or 7:00

7   p.m., correct?

8   A   That is correct.

9   Q   And if I go all the way over to the final

10   column, I see a zero there, correct?

11   A   That is correct.

12   Q   But the data that you provided me shows

13   that there was, in fact, viewing to that movie, does

14   it not?

15   A   That is correct.

16   Q   Can you explain why the data you provided

17   me shows viewing to that movie and the data I received

18   from Mr. Larson does not show any viewing?

19   A   No, I can't. Once again, I do not know.

20   CHAIRPERSON DAUB: Mr. Garrett, may I

21   interrupt for a minute and ask you, do we have the

22   same information he has?

23   MR. GARRETT: This is all taken from

24   information that -- let me make this precise here.

25   Everything on Sports Exhibit 5-X is precisely what I

1   received from Cable Data Corporation, Mr. Larson.

2   Cable Data Corporation represented that they received

3   all of that information from Nielsen and Mr. Larson.

4   The data that I received here, as we will

5   go through this, simply does not correspond. Things

6   that he tells me and the data he provided do not

7   square with the things that Mr. Larson has told me.

8   It's been very difficult for me to try to figure out

9   exactly what's happening with this study and to pursue

10   an appropriate line of cross-examination.

11   CHAIRPERSON DAUB: Thank you, I appreciate

12   it.

13   MR. GARRETT: And I'm simply trying to find

14   out why there is this discrepancy, why there is this

15   difference.

16   BY MR. GARRETT:

17   Q   Now, according to the data you provided me,

18   Mr. Lindstrom, there were viewing in households on

19   February 9, 1990, of the WGN Prime Movie, correct?

20   A   That is correct.

21   Q   And if I go to Sports Exhibit 5-X and I

22   look at February 9, 1990, at Prime Time, 1900 hours,

23   I see, in fact, that there was a movie?

24   A   That's correct.

25   Q   And reports viewing under the MPAA/Nielsen

1 study, correct?

2   A   Could you repeat that question, please?

3   Q   Sports Exhibit 5-X, the Cable Data

4 Corporation printout, does, in fact, show viewing to

5 the Prime Time Movie on WGN on February 9, 1990?

6   A   That is correct.

7   Q   Now, you also have given me information to

8 indicate that there was viewing of the movie, WGN

9 Prime Time Movie on February 12, 1990, do you see

10 that?

11   A   Yes, I do.

12   Q   And is there any corresponding indication

13 of such viewing on February 12, 1990, on Sports

14 Exhibit 5-X, the Cable Data Corporation printout?

15   A   No, there is not, but I would -- I think

16 it's important to note two things. As I said, I have

17 not seen this material before and, without knowing

18 what was done by Cable Data, it's difficult to say

19 whether it's a function of a program name situation in

20 terms of what was, in fact, printed out, and why,

21 therefore, some things are not on here. It's just, as

22 I said, impossible to say, in fact.

23   COMMISSIONER DAMICH: Mr. Garrett, what was

24 that last reference, the date of that last program?

25   MR. GARRETT: February 12, 1990.

1   COMMISSIONER GOODMAN: Could I ask a brief

2 question because I'm getting confused on the time.

3 Mr. Lindstrom, in JSC 3-X there are quarterhour days.

4 In JSC 5-X there are specific times. Under 5-X, I

5 take it the times that are listed are the times that

6 these programs were broadcast on WGN, so that they're

7 going to be Chicago local time, is that right?

8   THE WITNESS: Again, I would assume so. I

9 am not in a spot of being able to answer for Larson,

10 but that would be the way that I would interpret this,

11 that it is, in fact, military and local time.

12   COMMISSIONER GOODMAN: Then direct your

13 attention to JSC 3-X, if we can decode the

14 quarterhours, if Wabash County reports that it was in

15 the 53rd quarterhour, is that referring to Wabash

16 County local time, or WGN local time?

17   THE WITNESS: WGN local time. Everything

18 is time-adjusted to local time for the station.

19   COMMISSIONER GOODMAN: Thank you.

20   THE WITNESS: That's a good question.

21   MR. LANE: Madam Chairman, I assume that

22 Sports will present a witness that will sponsor

23 Exhibit 5-X because it is clear now that Mr. Lindstrom

24 knows nothing about this exhibit. So, under the

25 rules, that would be required.

1   CHAIRPERSON DAUB: You're referring to Mr.

2 Larson?

3   MR. LANE: I'm not referring to anybody,

4 I'm referring to the fact that this witness cannot

5 support this exhibit, therefore, under the Tribunal's

6 rules, Sports will have to present a witness to

7 support it.

8   CHAIRPERSON DAUB: Mr. Garrett?

9   MR. GARRETT: I have a more fundamental

10 concern here, Madam Chairman. Under the procedures

11 that have been established, that Messrs. Lane and

12 Nielsen and Larson insisted on, any kind of data that

13 we want concerning the Nielsen/MPAA viewing study, we

14 had to go through their consultants to get it. We had

15 to go through Mr. Lindstrom to get these kinds of data

16 on what he shows in the diaries, and we had to go

17 through Cable Data Corporation. We couldn't just

18 simply take a database and give it to one of our

19 consultants and say run it and tell us what we want to

20 know here.

21   The people that I have to rely upon here in

22 order to prepare for my cross-examination in this case

23 are, ironically enough and oddly enough for a

24 proceeding of this nature, their own consultants.

25   Now, I can bring Mr. Larson in if I want to

1   introduce this in rebuttal here but, frankly, I just

2   want to know what's happening here.   I called Mr.

3   Lindstrom about ten days ago, as I think I've reported

4   in one of my filings here, and asked for some

5   additional information to try to help me figure out

6   what the problem was so that we could straighten it

7   out here.

8   Now, I simply want to be able to track the

9   data as it went from the diary into his computer,

10   through the Cable Data Corporation here, and that's

11   it, so that we can analyze that kind of data.

12   And after spending substantial amounts of

13   time and my client's money and effort, I realize the

14   stuff just doesn't jibe.   I don't know what's

15   happening here.   I'm not saying that everything he's

16   given to Cable Data Corporation is wrong, and

17   everything Cable Data Corporation gave me is wrong, or

18   there isn't some explanation here.   The problem is

19   that by the procedure that's been established and by

20   the fact that we haven't gotten these documents and

21   the data in a timely fashion as we've outlined here,

22   I don't have the answers and I've got to do this now.

23   I don't know who else to ask these

24   questions of.   It's his data that underlies all of

25   this.   I just want to know what the explanation is,

1   and maybe he can tell us and maybe he can't. Maybe

2   I've got to wait another two weeks before I can find

3   out what the explanation is.

4   CHAIRPERSON DAUB: Mr. Lane?

5   MR. LANE: Madam Chairman, if I could, Mr.

6   Lindstrom has been able to testify about every

7   document in approximately a six-inch stack of papers

8   that Mr. Garrett has given him from the Nielsen

9   Company. There's been no question and no effort to do

10   anything -- but as Mr. Garrett pointed out, this is a

11   document from Larson, and Mr. Lindstrom does not work

12   for Cable Data Corporation. He doesn't know the

13   procedures. I don't know what the procedures are for

14   this.

15   I don't know what Mr. Garrett asked Mr.

16   Larson, what Mr. Larson ran. There's just no way Mr.

17   Lindstrom can answer that. On the things that Mr.

18   Lindstrom's company provided to Sports, every answer

19   has been given because Mr. Lindstrom knows what's

20   going on. This is just data from someone else, and

21   Mr. Lindstrom can't address it. So, somebody has to

22   address it, and it's Sports' exhibit, and they should

23   put on a witness to do that.

24   COMMISSIONER GOODMAN: Let me just ask Mr.

25   Garrett and maybe this will solve it. Is JSC 5-X

1   being introduced to substantiate its data, or is it

2   being introduced to provide a reference point for your

3   questions?

4   MR. GARRETT: Well, it's certainly

5   introduced for the latter purpose at this time,

6   Commissioner. My understanding of the Commission's

7   rules is that I'm entitled to question Mr. Lindstrom

8   about this particular document for impeachment

9   purposes. And if, on the other hand, I decide that I

10   want to introduce this evidence for the substance of

11   what's in the document, that I would then have to

12   bring it back in rebuttal.   Technically, I think

13   that's the way the rules read here.

14   Again, my concern here is -- I mean, I can

15   go through every single one of these items that he's

16   given me here and say they don't match up, but I don't

17   want to take the Tribunal's time -- that's not

18   entirely correct, there are some that do match up, as

19   he's already pointed to. There are some, but the vast

20   majority do not. I am getting different information

21   from one of MPAA's consultants than I am getting from

22   the other consultant, and my understanding is that all

23   of this should correspond and track, so that I could

24   then get to the next stage and start doing the kind of

25   analyses that I wanted to do in preparation for this

1   cross-examination, and I haven't been able to do it.

2   Now, again, if we want to bring in Mr.

3   Larson -- in fact, I asked Mr. Larson if he would come

4   to the hearing today so that he could answer any

5   questions that the Tribunal might have and so that we

6   could clear this up right now.   Mr. Larson was

7   unavailable for the day, out of the office.   I asked

8   if he would come to my office, he said he would.

9   I'm not saying that everything here is

10   wrong.   I just can't check anything given the

11   conflicting kind of data that I've been getting, and

12   getting all that late besides.

13   CHAIRPERSON DAUB: Thank you, Mr. Garrett.

14   Mr. Lane, you can appreciate the parties' frustration

15   at this point.   Let me ask you --

16   MR. LANE: Well, Madam Chairman, I can't

17   appreciate the frustration that Mr. Garrett is trying

18   to express because he is putting together two pieces

19   of information.   He has not shown that anything that

20   Nielsen did was wrong. What he's shown are incorrect,

21   or whatever he wants to term it, the inconsistency

22   could be due to a million reasons that Mr. Lindstrom

23   nor I nor Mr. Garrett knows, that Mr. Larson or

24   somebody else may explain. And that's my only point.

25   When you're trying to address and make the point, as

1   Mr. Garrett is trying to do, that there's

2   inconsistencies with two different pieces of data

3   provided by two entirely different companies, from a

4   witness from one company, is just unfair.

5   CHAIRPERSON DAUB: Thank you. Mr. Lane,

6   did Larson Company provide information to Mr.

7   Lindstrom for this particular study?

8   MR. LANE: I can tell you, Madam Chairman,

9   that I have no idea what was asked of Mr. Larson or

10 Nielsen about this study. That was part of the

11 agreement, that Sports ask these questions entirely

12 without our knowledge other than to say it was okay

13 with us. So, I have no idea what was asked by

14 anybody, and that was perfectly -- as far as I was

15 concerned, that was proper in the way it was done.

16 So, I don't know who talked to whom about what.

17 CHAIRPERSON DAUB: Mr. Garrett?

18 MR. GARRETT: Just briefly for the record

19 here, I think this is all a matter of record now.

20 Exhibit MEK-8, page 366, shows the summary numbers --

21 it's the one that they filed with the Tribunal but did

22 not serve on all the parties.

23 CHAIRPERSON DAUB: I don't recall MPAA

24 having served that particular voluminous report to all

25 the parties.

1   MR. GARRETT: In the '89 proceeding, we

2 actually had access to the equivalent of MEK-8 almost

3 two months before the hearings.

4   MR. LANE: Well, let me just state for the

5 record, since Mr. Garrett is testifying about one side

6 of the story, that was given in a settlement

7 discussion with the Sports Claimants, and you're

8 right, Madam Chairman. As you recall, this stand used

9 to be over there by the light switch, and the

10 equivalent of MEK-8 was in the back of the room, sat

11 on that stand throughout the whole proceeding, and I

12 remember one memorable moment when Mr. Stewart grabbed

13 it in his hand and walked around the room with it to

14 discuss it.

15   COMMISSIONER GOODMAN: Well, I'm glad we

16 weren't around for that hearing if that's a memorable

17 moment.

18   (Laughter.)

19   MR. LANE: I want to point out that we have

20 supplied it to all the parties in this proceeding.

21   MR. GARRETT: All I'm saying, Madam

22 Chairman, is if you take a look at MEK-8, on page 366,

23 it contains the summary data for station WGN, and if

24 you take a look at the summary data for WGN Movies,

25 total Movies, it shows Total Household Viewing Hours

1   of 68,215,645. And if you take a look at Sports

2   Exhibit 5-X, which is the printout from Cable Data

3   Corporation, it also shows that the Total Household

4   Viewing Hours of 68,215,645, the same number that's

5   reported in the MPAA study, MEK-8, which they are

6   asking the Tribunal to rely upon.

7   All I've done is ask Mr. Larson to tell me

8   how that 68 million was determined, which programs

9   were credited which amounts of viewing, and that's it.

10   And we can bring him in and he can say that's exactly

11   what he did. But, again, my more fundamental concern

12   is that I would like to know why I'm getting these

13   kinds of different results here, so that I can, when

14   Mr. Lindstrom comes back at the end of this month

15   here, prepare to cross-examine him on the points that

16   I would prefer to have cross-examined him on today.

17   CHAIRPERSON DAUB: Mr. Lane, Mr. Garrett

18   has just stated that Mr. Larson could be available

19   tomorrow for verification or any questions you and Mr.

20   Lindstrom may have of this particular Sports 5-X

21   exhibit. You have requested --

22   MR. LANE: I'll go along with that if

23   that's what the Tribunal wants. The proper way to do

24   that is to put it in as part of their rebuttal. That

25   is traditionally what everybody has done with cross-

1 examination exhibits. It completely disrupts my case

2 yet again. It just pushes the time back more and more

3 but, if that's what the Tribunal wants, obviously

4 that's what we will go with.

5 CHAIRPERSON DAUB: I thought for a minute

6 Mr. Garrett had commented on impeaching -- did I hear

7 you correctly?

8 MR. GARRETT: I'm sorry?

9 MR. LANE: I thought Mr. Garrett said he

10 hadn't decided how to use this exhibit yet, which is -

11 -

12 MR. GARRETT: Well, I have, I've used it

13 for impeachment purposes at this point. I mean,

14 again, that's not my point. I would prefer to have

15 Mr. Larson and Mr. Lindstrom and Mr. Lane sit down and

16 tell me why it is that these things are different.

17 Maybe there is some innocent explanation here. Maybe

18 he can rerun his data, or maybe Mr. Larson could rerun

19 his data, but it's all basically supposed to check out

20 here -- I mean, the trail is. It starts with those

21 pieces that I provided, the Sports Exhibit 4-X, the

22 household-by-household data that Mr. Lindstrom

23 considers confidential. Those are the building blocks

24 that go into the numbers that you see there in Sports

25 Exhibit 3-X, and I can't determine how it is that they

go from points A, B to C, because the information that I've gotten doesn't check out. I just want to know how it's done.

CHAIRPERSON DAUB: Well, it seems that both parties agree to have Mr. Larson. I would like to consult with my colleagues here as to how to treat this matter.

(Whereupon, the Tribunal conferred off the record.)

CHAIRPERSON DAUB: With regard to Mr. Larson's appearance here, we'll decide and we'll let you know our decision after lunch.

Would you like to continue a little longer, or should we take a break for lunch?

COMMISSIONER DAMICH: I have one question for Mr. Garrett. Do you intend to call Mr. Larson as part of your rebuttal case?

MR. GARRETT: I had not made that determination as of this point. And, really, I can do that, and certainly if that would be the Tribunal's preference, I'm perfectly happy to do that, but what it does, though, Commissioner, it puts off to the end here. And Mr. Larson will come in and he will say exactly what it is that he did here, and then you've got that. What I don't have then is an explanation of

1   what variances and what other data that I would need.

2   My preference would be simply to have them

3   explain to me what the problem is here and we can deal

4   with it when Mr. Lindstrom comes back on the 1st of

5   October. But, again, I'm happy to produce Mr. Larson

6   in part of my rebuttal case, or we can have him come

7   in tomorrow morning and he can explain on the record,

8   off the record, it really makes no difference to me.

9   I'd just like to get the data.

10   CHAIRPERSON DAUB: Mr. Lane?

11   MR. LANE: Madam Chairman, Mr. Garrett

12   never asked us for this kind "simple" explanation that

13   he says now could so easily be provided, and maybe it

14   could have, but he's never shown us these documents --

15   certainly not me -- before this morning in the

16   hearing. So, I'm happy to do whatever you want. I

17   think it would disrupt our case further but, if you

18   think it's necessary to have Mr. Larson tomorrow,

19   again, we'll go with your --

20   MR. GARRETT: Madam Chairman, let me point

21   out that that's not entirely correct here. Mr.

22   Lindstrom did call Mr. Lindstrom almost two weeks ago,

23   and asked him why the numbers of movies that I was

24   getting in his data didn't check out with other data

25   that I had had, and asked him to do certain additional

1 runs at that point, and Mr. Lindstrom will correct me

2 if I'm wrong, I'm sure, said that the person who would

3 need to do that was on vacation at the time and would

4 not be returning until the day before his testimony on

5 Tuesday of this week. I did try to straighten out

6 some of this information.

7   Also, let me say again that even the Cable

8 Data Corporation data here, it took me over a week to

9 get -- for MPAA to authorize Mr. Larson to run the

10 data. When I called Mr. Larson and asked him to do

11 it, he said he would not do it unless MPAA authorized

12 him to do it, and that process of authorization took

13 another week.

14   CHAIRPERSON DAUB: Thank you, Mr. Garrett,

15 for clarification.

16   COMMISSIONER GOODMAN: We would appreciate

17 the parties talking about the potential resolution of

18 the program/stations issue and report back to us on

19 their progress when we come back from lunch.

20   CHAIRPERSON DAUB: Thank you. We will

21 reconvene at 1:30.

22   (Whereupon, at 12:15 p.m., the luncheon

23 recess was taken.)

24

1   A-F-T-E-R-N-O-O-N S-E-S-S-I-O-N

2   (1:43 p.m.)

3   CHAIRMAN DAUB: Back on the record. The

4   Tribunal would like to invite Mr. Larson tomorrow

5   morning, Mr. Garrett, if you could arrange that,

6   perhaps first thing tomorrow.

7   MR. GARRETT: I will do that, Madam

8   Chairman. I had over the break agreed with Mr. Lane

9   that we would try to meet with Mr. Larson tonight in

10   order to resolve what the issues are and that we

11   could, if the Tribunal prefers, bring him in tomorrow.

12   And he could discuss it as well.

13   CHAIRMAN DAUB: If, in fact, you can

14   resolve the areas of differences tonight, I don't see

15   the need to bring him here physically.

16   Commissioner?

17   COMMISSIONER DAMICH: I think it might be

18   better to have him here, at least, in case any

19   questions come up.

20   MR. GARRETT: That's fine.

21   COMMISSIONER DAMICH: What do you think?

22   MR. LANE: It's all right.

23   CHAIRMAN DAUB: Agreeable.

24   MR. LANE: During the lunch break, we made

25   a proposal to the other side that we would be willing

1   to provide them station and program information, for

2   the lack of a better word, for the top superstations;

3   that is, WTBS, WGN, and WWOR.

4   Our proposal would include for WGN and WWOR

5   that we would provide them the information, sort of

6   before and after information, if you will, that we

7   would make this available by September 23rd with the

8   other information.

9   The reason that we did it on the basis of

10   the top three superstations, as you know, there's a

11   certain minimum number that we need to be able to

12   produce a valid study. Those are the only three

13   stations that meet the requirements. And, therefore,

14   we think we can produce a study that would be valid.

15   We also think this provides sufficient

16   information about the "underlying methodology" that is

17   going to be the same for all of the stations that

18   would enable them to perform whatever analysis they

19   want.

20   MR. HESTER: We made a counter proposal,

21   which is somewhat different. We asked to be able to

22   designate 20 commercial stations and 5 noncommercial

23   stations for which we would receive station and

24   program data.

25   And the reason that the proposal from MPAA

doesn't do enough for us is: first, it only separates out the very largest of the superstations, doesn't give any opportunity at look at viewing patterns or any of the observations obtained for some of the smaller stations; and, of course, it leaves out any Public Television station entirely from the MPAA proposal.

We think it's important for us to be able to look at how the underlying results were computed for the educational stations included within the sample, of course.

We see our proposal as consistent with what the Tribunal has already ruled because, as we understand it, the Tribunal has not accepted the position of MPAA that it should only have to supply that data which it considers or Mr. Lindstrom considers reliable in some statistical sense. Rather, our point is we want to see underlying observations, the underlying meter observations, from which the results were built up.

And so our compromise is one that we think meets the concern of burden that Mr. Lindstrom expressed, but it doesn't limit us only to those very few stations where there is perceived to be a statistically reliable sample because that's not what

1   we're trying to do with these data.

2   We want to see the underlying observations.

3   And, indeed, we would like to see those observations

4   for a number of different kinds of stations, not

5   simply the very largest of the superstations.

6   CHAIRMAN DAUB: I was hoping to have this

7   matter resolved. But, Mr. Lane, if you could provide

8   the three top superstations, could you go a little

9   further?

10   MR. LANE: The problem with going a little

11   further, first of all, I'm sure your definition of "a

12   little further" is going to be different from those of

13   the various opposing parties here. So I hesitate to

14   even suggest that.

15   Second, we're trying to do this within the

16   framework of having it available by the 23rd. We

17   already have the other project, and doing both of

18   these things together, we can get that by the 23rd.

19   Certainly, talking to Mr. Lindstrom, if we

20   do 20 and 5, as Mr. Hester has suggested, we're

21   talking about a much longer time frame. We just can't

22   produce that, I think for the reasons that Mr.

23   Lindstrom testified to this morning.

24   Also, as I've stated, we have a fundamental

25   difference. We believe that Mr. Hester simply doesn't

understand how the meter-based study was put together
and that the information he's suggestion is building
block information. It is, in fact, not building block
in the same way that that information was used in the
diary study.

So it's not just a question of getting
statistically reliable results. It's a question of
getting results that have any meaning at all. We're
not talking about statistically reliable in the sense
of the number of standard errors or something. We're
talking about data that simply cannot produce any
useful information.

COMMISSIONER GOODMAN: Can we go off the
record for a moment?

(Whereupon, the foregoing matter went off
the record at 1:50 p.m. and went back on
the record at 2:02 p.m.)

Whereupon,

PAUL LINDSTROM

was recalled as a witness by counsel for MPAA and,
having been previously duly sworn, resumed the witness
stand, was further examined and testified further as
follows:

CROSS-EXAMINATION

BY MR. GARRETT:

1 Q Mr. Lindstrom, you did in this proceeding

2 indicate that the program Cheers is broadcast not only

3 on WGN, but also on other stations, such as WSBK in

4 Chicago.

5   MR. LANE: They changed the city, Bob?

6   MR. GARRETT: I'm sorry?

7   MR. LANE: SBK changed from Boston to

8 Chicago?

9   MR. GARRETT: Actually, WSBK in Boston.

10 Okay?

11   BY MR. GARRETT:

12 Q Are you aware of that?

13 A I'm aware that WSBK is in Boston, yeah.

14 Q Are you aware that they broadcast Cheers in

15 1990?

16 A No, I'm not.

17 Q WSBK is also put up on satellite, is it

18 not, by resale carrier?

19 A Yes.

20 Q And there are cable systems in the United

21 States that receive WSBK via satellite; correct?

22 A That's correct.

23 Q Now, in the case of WSBK, the resale

24 carrier does not substitute any programming for Cheers

25 or any other Syndicated programs, let's say. Is that

1   not correct?

2   A   I believe so.

3   Q   I think you had indicated earlier -- well,

4   let's go back for a second. Now, there may be a

5   broadcaster in the market where WSBK is received at a

6   distant signal. Assume that that broadcaster assumes

7   a right to show Cheers in its market and it sits on

8   syndicate exclusivity. Will you assume those facts

9   for a moment?

10   A   Okay.

11   Q   Now, under those circumstances, the cable

12   operator would black out the Cheers program pursuant

13   to the syndicate exclusivity rules; correct?

14   A   That is correct.

15   Q   And the cable system may substitute some

16   other type of programming for Cheers; correct?

17   A   That's correct.

18   Q   Now, in your earlier testimony, I think you

19   had indicated that in those situations, Nielsen gets

20   information from the local broadcaster that the

21   programming is being blacked out; correct?

22   A   No, that's not correct. The broadcaster is

23   going to be one of the sources of information. They

24   will say "We have asked for protection from these

25   systems."

1   The final arbiter as far as we're concerned

2   is what the system itself is doing. So the fact that

3   the station asks doesn't change our records. It's

4   what the system does.

5   Q   All right. So we're talking about the

6   broadcaster here in the market where WSBK is coming as

7   a distant signal. Okay?

8   A   Correct.

9   Q   Now, what you're saying is that under those

10   circumstances, the broadcaster may notify Nielsen that

11   it has insisted upon syndicated exclusivity in its

12   market; correct?

13   A   That is correct.

14   Q   And the cable operator is also contacted by

15   Nielsen; correct?

16   A   And by the station.

17   Q   And by the station. Okay.

18   Now, if the cable system tells you that it

19   is blacking out Cheers, then any viewing to the

20   channel that WSBK is under during that period would

21   not be credited to Cheers; correct?

22   A   That is correct.

23   Q   And it would not be credited in the MPAA

24   study either; correct?

25   A   That is correct.

1   Q   And if there was viewing to a substitute of

2   programming, that would be credited, then, in the MPAA

3   study; correct?

4   A   No, that would not be.

5   Q   Well, if it were viewing to another distant

6   broadcast signal, would that viewing be credited to --

7   A   The viewing is credited to whatever the

8   programming source was of the substituted program.

9   You are not going to find many instances where

10 somebody is going to substitute TBS for a program on

11 GN.   What you will find is occasionally the local

12 signal will be substituted for the distant one.

13   And there are a variety of other factors,

14 but what we will, in fact, do is we will credit the

15 viewing based on the programing source that the system

16 says is being substituted on that channel during those

17 time periods.

18   So whatever is substituted in there would,

19 in fact, get credit.

20   Q   If you had, say, a Yankees game that was

21 substituted in place of Cheers, a Yankees game on

22 WSBK, would the Yankees game get credited for viewing?

23   A   If that was what was being substituted by

24 the system, yes, it would.

25   Q   And you would rely upon the system in that

1   situation to advise you that what they were

2   substituting there was a Yankees telecast; correct?

3   A   That is correct.

4   Q   Now, how many systems actually advise

5   Nielsen concerning these program substitutions?

6   A   We are in relatively constant contact in

7   terms of all of the systems that have metered homes

8   within them on a very frequent basis, all other

9   systems on a periodic basis. So we have a very

10   complete cable record database.

11   And they do inform us, in fact, when they

12   are offering -- or when they are blocking out or

13   blacking out programming and what it is they're doing

14   in its place.

15   Q   You drew a distinction there between

16   systems where there are metered homes and systems

17   where there are not metered homes; correct?

18   A   That is correct.

19   Q   All right. I'm just focusing now on diary

20   households.

21   A   I would add in there, again, it is -- those

22   types of rules are fairly constant over time. And

23   when there are renewed requests or changes that come

24   through, then, again, that's the type of thing that

25   will trigger our system contact.

1   Q   How many systems is Nielsen in contact with

2   in just the diary markets?

3   A   I don't recall the exact number, but it's

4   over 10,000 head ends. I know that.

5   Q   Okay. And that's the number currently?

6   A   That's an approximation of the current

7   number.

8   Q   And approximately the same number in 1990?

9   A   Somewhere there about. It's a reasonable

10   enough approximation.

11   Q   And how frequently were you in contact with

12   those systems in 1990?

13   A   It is going to vary, but at the bare

14   minimum, twice a year.

15   Q   And twice a year, they would advise you as

16   to the nature of the programming that they were

17   substituting?

18   A   That's correct. But it should be

19   understood that, once again, the contact with the

20   system is triggered by any number of points, changes

21   that we find in terms of channel lineups that occur.

22   We had large subscribers to our cable

23   database of the system called CODE, for which were

24   applied affiliate information by cable networks. If

25   a cable network is claiming an affiliate that we, in

1   fact, don't show carrying it, we're back in touch with

2   the system, and all information is updated.

3   So that there is a rule that it is a

4   minimum of twice a year, but, in fact, it is an

5   ongoing process in terms of how often these people are

6   contacted.

7   Q   When the Syndex rules went into effect in

8   1990, at that point you were in contact with

9   approximately 10,000 systems?

10   A   That's correct.

11   Q   And that contact took place approximately

12   twice, for each of the systems at least twice during

13   the course of 1990. Is that right?

14   A   That's correct.

15   Q   And it would be during the course of those

16   contacts that they would advise you as to any

17   programming that they were substituting on the various

18   distant signals. Is that correct?

19   A   That's correct.

20   Q   And --

21   A   I would also, if I could, make one more

22   point, which is that we do have within the diaries the

23   record of what people are, in fact, indicating they're

24   viewing.

25   And if we turn up diaries from people who

1 were saying they're viewing something that our records

2 wouldn't show are on, it once again would trigger

3 calls to the system.

4   So there is a very good feedback mechanism

5 on what those protection rules are.

6   Q   If the diary showed in this particular

7 example here that -- strike that.

8   MR. GARRETT: That's all the questions I

9 have. Thank you.

10   CHAIRMAN DAUB: Thank you, Mr. Garrett.

11   Mr. Lindstrom, any time you need a little

12 break, fine.

13   THE WITNESS: Okay. Thank you.

14   CHAIRMAN DAUB: Let us know.

15   Mr. Stewart?

16   MR. STEWART: Good afternoon, Mr.

17 Lindstrom. My name is John Stewart. I'm representing

18 the National Association of Broadcasters.

19   CROSS-EXAMINATION

20   BY MR. STEWART:

21   Q   Just to follow up a bit on the questions

22 Mr. Garrett was just asking you, did you get

23 complaints from broadcast stations during 1990 that

24 Nielsen had improperly credited distant signal

25 programming that the station knew had actually been

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1 blacked out?

2   A   I would first say that, in fact, that's an

3 area that I would not know directly, but I would also

4 qualify it with the one additional line, which would

5 be that the station thought was supposed to be blacked

6 out.

7   We do, in fact, follow what the system says

8 it is doing, regardless of whether or not that, in

9 fact, would follow what they should be doing under FCC

10 regulations.

11   Q   Did you have any experience in trying to

12 obtain information from cable systems that you were

13 unable to obtain; that is, the cable systems didn't

14 respond to your requests for additional information?

15   A   Say that again. I'm sorry.

16   Q   When you tried this process of finding out

17 what the cable systems were actually doing, were there

18 any that didn't provide you with the information, that

19 didn't respond to your requests?

20   A   I am not sure. I could not say for sure.

21   Q   What motivation does a cable operator have

22 to use resources to assure that Nielsen has correct

23 information about those substitutions or blackouts?

24   A   There is a fair amount of things,

25 including, in general, industry pressure that comes

1   down from the MSO level in order to ensure that our

2   cable system records are what they need to be in order

3   to produce the ratings information that's recognized

4   within the television business that, in fact, an

5   accurate rating system is a key need for everyone on

6   all sides.

7   There are also additional sources of

8   information of trying to get that data. But, as I

9   said, there is that as an inherent motivation that we

10 have elicited cooperation from the MSOs, we have

11 elicited cooperation from industry groups to, in fact,

12 put individual pressure, where necessary, on systems

13 or MSOs. The cable networks are doing everything they

14 can in that regard, et cetera.

15   Q   But unlike the stations and the advertisers

16 and the agencies, the cable operators don't use

17 viewing data on distant signal programming to sell

18 advertising, do they?

19   A   No. Cable systems use rating data in order

20 to sell advertising, if I understood the correction --

21 the comment correctly.

22   Q   On distant signals?

23   A   Oh, on distant signals, no.

24   Q   And we're talking only about ratings

25 information about distant signal programs here;

1   correct?

2   A   Okay.   I would add one other note that I

3   think is important in terms of the comment that you

4   made, that stations would ask for protection. And if,

5   in fact, we could not get it confirmed, we would go

6   back to the station itself and say, "Look, we can't

7   get this confirmed." And the station has their own

8   resources in terms of being able to put heat on as

9   well.

10   So that, again, this is an industry-wide

11   issue for which there are loads of resources for all

12   companies involved.   It is not strictly a Nielsen

13   issue.

14   Q   And that's a process that takes place over

15   time, I take it; that is, the --

16   A   The stations will submit who they have, in

17   fact, asked for protection from. We will go through,

18   and we will say, "Here is who we, in fact, show

19   actually giving you protection. And if you've got a

20   problem with that, then do something about it." You

21   know, this is to the best of our records of what the

22   systems are telling us.

23   Q   So you did have problems getting accurate

24   data from systems that required you --

25   A   No. I'm not saying I had problems getting

1   accurate data from the systems. I'm saying we feel we

2   get good accurate data from the systems, but it is not

3   necessarily going to agree with what the stations

4   think they are getting.

5   The fact that they ask doesn't necessarily

6   mean that the systems are providing. And if the

7   systems do not tell us that they're providing it, then

8   we, in fact, would tell the stations that.

9   Q   And in order to get the systems to do what

10   it took to get the systems to provide you with correct

11   information or to actually delete the program? Is

12   that what you're saying?

13   A   I'm saying if the stations have the

14   opportunity to go to the system or to go to the FCC or

15   whoever they choose to in order to ensure that that

16   protection is being given.

17   And it is fundamentally different from what

18   our competitors do, who take the stations' word for

19   it.

20   Q   Are you sure of that?

21   A   Well, they used to. I believe they did in

22   1990 anyway.

23   Q   You do market Nielsen viewing data to cable

24   systems for their use in selling local advertising

25   time on cable sources other than distant signals. Is

1   that right?

2   A   That is correct.

3   Q   Does that constitute most of your business

4   in selling ratings information to cable systems,

5   individual cable systems?

6   A   Does what? That they would be using it for

7   ad sales purposes?

8   Q   Right.

9   A   That would constitute the bulk of it, yes.

10   Q   Okay. Now, in the meter-based study that

11   you've presented here, you made a selection of

12   stations to include in the study based on a list of

13   stations carried on distant signals that was provided

14   to you by Cable Data Corporation. Is that correct?

15   A   That is correct.

16   Q   Do you know whether that list included

17   stations that had been carried as distant signals by

18   Form 3 systems only?

19   A   I do not believe that that was the case.

20   Q   Do you understand the distinction between

21   Form 3, Form 1, and Form 2 systems?

22   A   To a fair extent. Once again, I'm not an

23   expert in those definitions, but it is my

24   understanding that what was supplied was a list of

25   stations which were, in fact, carried by some number

1   of subscribers on a distant cable basis in 1990.

2   Q   Carried to subscribers. Is that what you

3   mean?

4   A   Yes.

5   Q   And your understanding is that those

6   subscribers included subscriber to Forms 1 and 2

7   systems as well as subscribers to Form 3 systems?

8   A   I was not given a definition either way.

9   So I could not swear by it. That is my understanding

10   of what the definition was.

11   Q   Are you aware that Form 1 and Form 2 cable

12   systems are not required to specify whether stations

13   that carry are distant or local when they file their

14   reports with the Copyright Office?

15   A   No, I am not. I do not know the fine

16   details of those aspects of the forms.

17   MR. STEWART: I'd like at this time to --

18   would you number this for me, 42?

19   (Whereupon,   the

20   aforementioned document

21   was   marked   for

22   identification   as   NAB

23   Exhibit Number 42-X.)

24   THE WITNESS: But I would suggest that it

25   would be Tom Larson who could answer the questions on

1   the stations and the definitions of what went in

2   there.

3   BY MR. STEWART:

4   Q   I'd like to hand you what I have marked as

5   NAB 1990 Exhibit 42-X.

6   MR. STEWART: I want to tell you that this

7   is information that was provided to us in discovery by

8   MPAA counsel.

9   COMMISSIONER DAMICH: In this form?

10   MR. STEWART: In this form except without

11   the label.

12   BY MR. STEWART:

13   Q   Have you had a chance to review that?

14   A   I'm familiar with it.

15   Q   Would you tell me what this document is?

16   A   It's a list of stations that were selected

17   for use in the metered analysis with an identification

18   in terms of whether or not it had viewing outside of

19   the designated market area, which is what we consider

20   for producing local market reports the area to be

21   included, generally smaller than what is considered

22   local for FCC definitions, and then an indication of

23   whether or not we had within our database names for

24   that station during non-sync cycles.

25   Q   Let's back up a bit. This document

1 consists of two sections, the first of four pages and

2 the second being the remainder of the document. They

3 look to be the same stations listed twice. Is that

4 right?

5   A   I would say so, yes.

6   Q   Is this a Nielsen printout?

7   A   Yes, it is.

8   Q   Did you personally prepare the printout?

9   A   No, I did not.

10   Q   Did you review the printout?

11   A   I reviewed it at the time it originally

12 came in, yes.

13   Q   And whose handwriting appears on the first

14 several pages? Do you know?

15   A   I have no idea.

16   Q   Can you decipher what appears to be a

17 stamped date above the title on the first page?

18   A   It's January something, I would assume.

19   Q   Do you believe based on having reviewed

20 this at the time that that's January 1993?

21   A   I would believe that that is January 1993.

22   Q   Okay. Now let's go back again to the

23 information that's provided here. On the very first

24 page, the first column is entitled "Names and Status,"

25 and there are entries that say "No names during

1   non-sync." Can you tell us what that is exactly?

2   A   The sync cycles are -- let me step

3   backwards for a minute. There are times that are used

4   sort of by the popular press and others called sweeps.

5   And the sweeps really refer to those

6   periods of time when we measure all markets across the

7   country. And it's done four times a year: in

8   February, May, July, and November, each market

9   measured individually, sometimes called all-market

10 measurements.

11 Those are what are known as the sync

12 cycles. Non-sync periods are the eight months when,

13 in fact, a --

14 CHAIRMAN DAUB: Excuse me.

15 (Whereupon, the foregoing matter went off

16 the record briefly.)

17 CHAIRMAN DAUB: Sorry. Please proceed.

18 THE WITNESS: Non-viewing cycles or

19 non-sync periods are, in fact, those periods -- the

20 eight months outside of the four where all markets are

21 measured.

22 During the period in time, what this is

23 referring to is that we will have names for stations

24 because we, in fact, are producing viewing reports for

25 all markets across the country. And we'll have names

1 to associate with most stations to go with those

2 reports.

3   Outside of the standard sweeps, we will not

4 necessarily have program lineup data. I mean, we will

5 for the metered markets, and we will for some other

6 areas, but we won't necessarily have it all.

7   So that is what that is referring to, is

8 it's a notation of whether or not for that station we

9 had names available to us at the time of this printout

10 as to the lineups for those stations during the non-

11 measurement periods.

12   BY MR. STEWART:

13   Q   And where there is no entry, you did have

14 program lineup information, both inside and outside

15 the measurement periods. Is that right?

16   A   That is correct.

17   Q   All   right.   "Call   letters"   is

18 self-explanatory, I suppose. Can you tell me what

19 those "X's" mean; that is, the handwritten "X"

20 notations in that column under "Call letters"?

21   A   No, I can't. They're not my "X's."

22   Q   What is the next column?

23   A   The next column is the viewing status that

24 -- as I had noted earlier, we use a standard

25 definition to define a local market called the

1   designated market area.

2   I almost hate to say it, but our

3   competition's name has kind of grown a little bit

4   better, which is ADI, or area of dominant influence.

5   And it basically is referring to the counties for

6   which the majority of the television viewing comes

7   from the stations which originate in that market.

8   We define every county in the U.S. into

9   mutually exclusive and all-inclusive markets so that

10   every county goes into one of these 200 or so markets

11   and no county counts in two of them. So we divvy up

12   the whole country.

13   These because they're non-overlapping will

14   generally and I think in virtually all instances will

15   end up smaller than, in fact, what an FCC definition

16   of local would be, if you were to draw the map, that

17   you would end up finding the boundaries would almost

18   always or always -- I can't guarantee 100 percent of

19   the time, but should always -- be greater than the

20   DMA.

21   So that what we did as our first cut on the

22   information with the viewing data was to determine

23   whether or not the stations selected had viewing

24   outside of the DMA. And this is an indication of

25   whether or not that station on our first pass had

1 viewing that would have fallen outside of the DMA.

2 If it didn't, if there was no viewing

3 outside the DMA, then there would be no viewing

4 outside of the distant definition established for

5 these purposes.

6 Q So you counted no viewing for a station

7 that had no viewing outside of the DMA?

8 A That is correct.

9 Q And the final, "DMA," I take it, has been

10 explained just by what you have testified. What about

11 "Station Code"?

12 A A series of dashes is not really there on

13 anything.

14 Q Do you know what information was to have

15 been included in that column?

16 A No. It is entirely possible that the

17 station code simply would have been the numeric code

18 that we use to identify call letters and stations.

19 Q If you turn to the fifth page of this

20 exhibit, which is the beginning of the second listing,

21 the second column there is labeled "Station Weight."

22 That is the weight that you described yesterday that

23 was differential weight given to stations that were

24 either in your top 50 or your random sample of the

25 remaining 600 or more stations. Is that correct?

1   A   That is correct.

2   Q   So that if the station has a 1.00 in the

3   "Station Weight" column, that was because it was in

4   your group of the top 50 and was selected with

5   certainty; correct?

6   A   That is correct.

7   Q   And the others are those that were selected

8   from the remaining stations on a random basis, and

9   each was represented to weight the viewing of

10   approximately five stations; correct?

11   A   That is correct.

12   Q   And now in the next column, there are

13   entries, either "Names present" or "Names not

14   present."   Is that the same information that you

15   discussed before about the names during the non-sync

16   periods or is that different information?

17   A   I believe, if I recall this printout, that

18   that's the same information.

19   Q   Okay.   Now, when names were not present

20   during non-sync periods, what did you do with viewing

21   to such stations during non-sync periods if you, in

22   fact, covered those periods?

23   A   These printouts, from what I recall, were

24   fairly preliminary printouts in terms of the state of

25   our original program names data that we were able to

1   subsequently fill in virtually all of the areas where,

2   in fact, names were not present by going to a variety

3   of different data sources.

4   In many cases the first cut was taken off

5   of those stations for which we had VIP names, those

6   for which we produced VIP reports or for VIP program

7   level reporting in.

8   The second level was the "TV Data"

9   information. And, in fact, "TV Data" took precedence

10   in most cases.

11   Q   Okay. Let's turn to a different subject.

12   If you would look at your Attachment A that's in your

13   testimony between Pages 4 and 5, which is several

14   pictures of this little girl?

15   A   Yes.

16   Q   Do you know her, by the way?

17   A   No. I wonder if she knows how widespread

18   she's gotten.

19   Q   Now, this was provided by you as an

20   illustration of sampling techniques; correct?

21   A   Yeah, that is correct.

22   Q   And the Nielsen Company spends quite a lot

23   of resources and care on sample selection. Isn't that

24   right?

25   A   That is correct.

1   Q   And the reason for that, a principal reason

2   for that, is that the more accurately and correctly

3   you select a probability sample to measure, the more

4   confidence you can have that the results you measure

5   reflect those of the universe you're interested in.

6   Isn't that right?

7   A   That is correct. The better the sample,

8   the better the measurement.

9   Q   The better the sample, the better the

10   measurement indeed.

11   Now, the bottom picture on the right in

12   this Attachment A is a 4,000-dot sample of the

13   photograph that was represented above. Is that right?

14   A   That is correct.

15   Q   And, in effect, your 4,000-household

16   national meter sample is 4,000 dot, quite a bit more

17   than the hundreds of thousands of dots included in the

18   picture on top. Isn't that right?

19   A   That is correct, but that would not

20   influence the story behind those pictures.

21   Q   And then what you did was to take your

22   4,000-household data and select a subsample of data

23   within that sample in order to present the MPAA a

24   meter-based study. Is that right?

25   A   Technically, no. We are not technically

1   subsampling at all. We are, in fact, going in and

2   looking at our entire 4,000 national sample and

3   identifying viewing to those stations on a distant

4   cable basis.

5   Q   Isn't an appropriate way to look at it that

6   you now have a universe of data reported by your

7   metered households and you are taking a sample of the

8   data reported by those households through selecting a

9   sample of the stations that you're going to extract in

10   order to represent the distant signal universe as

11   measured by that sample?

12   A   Again, technically, no. It's a fine point,

13   and I don't kind of want to beat a dead horse, but

14   it's -- we are taking all viewing, not a sample of

15   viewing, to those stations.

16   And so the fact that it is a sample of

17   stations does not mean that it's a sample of viewing

18   to those stations. It is, in fact, all the viewing to

19   those stations among the sample households. And it

20   could be any of the sample households that, in fact,

21   were distant in cable.

22   Q   I understand that you are looking at data

23   reported by all 4,000 households, but if your universe

24   is all of the viewing reported by those households to

25   all distant signals, you haven't measured that, have

1   you? You haven't collected that for your MPAA viewing

2   study, have you?

3   A   I'm sorry. You lost me there.

4   Q   Didn't you select a sample of all 750

5   distant signals in order to extract some of the

6   viewing that was reported by the metered households to

7   be presented here?

8   A   That is correct.

9   Q   And you selected those stations on a

10   stratified random sample basis. Isn't that right?

11   A   That is correct.

12   Q   And you were careful to describe yesterday

13   the scientific methods and the great care you took to

14   select that sample appropriately, didn't you?

15   A   That is correct.

16   Q   Let me just do this with an example. If

17   you look at the middle picture there, the 1,000-dot

18   picture, the one immediately to the left of that takes

19   exactly one of every 4 dots out of that picture and

20   represents the entire picture with just 250 dots;

21   right?

22   A   That is correct.

23   Q   Those dots are selected with a random

24   distribution or with some sort of distribution that

25   assures that you see the entire picture. Isn't that

1   right?

2   A   It is essentially an area of probability

3   sample, yes.

4   Q   And that's the way you selected the

5   randomly selected portion of your station sample for

6   the study you presented here; correct? You selected

7   every nth station out of the list of 600 or more

8   remaining. Isn't that right?

9   A   That's correct.

10   Q   Now, if, instead of doing it that way, you

11   took the middle picture and you selected the top 250

12   dots to look at so you had basically the same amount

13   of information, 250 dots, but you selected them not on

14   that area of probability basis, but on some other

15   basis, would you be able to recognize the picture?

16   A   Under those circumstances, no. But, if I

17   could, I think it's important to note that regarding

18   that sample, that, effectively, when over-sampling, as

19   we did, that you were putting the most dots, so to

20   speak, or the most information as needed.

21   And it would be the equivalent of putting

22   loads of dots where the girl's face was and leaving

23   them out on the black background and saying, in fact,

24   the net result is a somewhat clearer and better

25   picture with the same number of dots.

1   Q   I'm not suggesting that you took the top

2   part of the picture. You actually did a stratified

3   random sample. Isn't that right?

4   A   That's correct. But I thought that the

5   reference was referring to the top 50 stations being

6   collected with certainty.

7   Q   Well, in order to represent the entire

8   universe of distant signal, you took care after having

9   selected the top 50 also to select a random sample of

10   the remaining 600. Isn't that right?

11   A   That is correct.

12   Q   And that was important to the design of

13   this study in order to give you greater confidence in

14   the projectability of the results. Is that right?

15   A   That is correct.

16   MR. STEWART: I'm unable to continue

17   cross-examination on the study until we see the

18   revised viewing numbers. So I would reserve at this

19   point my right to continue cross-examination once we

20   have received that. Otherwise, I have no further

21   questions today.

22   COMMISSIONER DAMICH: Thank you, Mr.

23   Stewart.

24   Mr. Lindstrom, are you all right? Would

25   you like to take a --

1   THE WITNESS: I think I'm fine. I'll be

2 okay. If I need to, I'll give a shout here.

3   CHAIRMAN DAUB: Okay.

4   MR. HESTER: Good afternoon, Mr. Lindstrom.

5 My name is Tim Hester. I represent PBS. I guess

6 we've met indirectly.

7   THE WITNESS: Yes, we have.

8   CROSS-EXAMINATION

9 BY MR. HESTER:

10   Q   Let me begin by asking you a few questions

11 about some discovery that we have previously discussed

12 with you. Yesterday we talked about coming up with

13 some numbers on the number of households that received

14 different kinds of programming, the number of

15 households that received Public Television programming

16 in the peoplemeter households and the number of

17 households that received independent station

18 programming on a distant basis in the same four

19 network affiliates. Do you recall that?

20   A   Actually, I don't. I don't recall having

21 talked about it. I do recall the -- having seen the

22 letter in terms of the request. I, in fact, was under

23 a different impression for what it was that you were

24 looking for and had understood it to be the number of

25 households that had, in fact, viewed PBS on a distant

1   basis as opposed to the number who could receive it.

2   And the number who could receive it, by the

3   way, is a much more difficult number to generate.

4   Q   At this point you know the number that

5   actually reported viewing on a distant signal basis

6   for Public Television?

7   A   Yes, I do.

8   Q   And that number is what?

9   A   That number for the four months within the

10 study was actually 256. I had referred to a 286

11 number before, but that had been a preliminary figure

12 that, in fact, was not an accurate one that I had

13 received or I had misunderstood.

14   Q   And do you have the comparable numbers for

15 independent stations and for network affiliates?

16   A   No, I do not, not as of yet. I had made a

17 phone call, and I have similar counts for each of the

18 program types. But in terms of having it by stations

19 is something that would have to be run in a different

20 fashion and will take a couple of days to get.

21   Q   Are you undertaking to get that?

22   A   I can do that, yes.

23   Q   Now, the 256 figure that you just gave,

24 that reflects the number of households in the

25 peoplemeter sample over the 4 months covered by the 4

1   sweeps that actually reported some amount of viewing

2   to Public Television?

3   A   On a distant cable basis to the PBS

4   stations included within the sample.

5   Q   Did I understand from your previous answer

6   you don't know how many peoplemeter households were

7   actually able to receive the Public Television

8   stations that were included within the sample?

9   A   That is correct, and the reason is is that

10   we don't need to know it. In fact, what we're doing

11   is trying to develop what amounts to a share of total

12   viewing.

13   And, therefore, the people who don't view

14   become irrelevant to the analysis.

15   Q   Well, let me give you an example. What if

16   there were a county with heavy distant signal viewing

17   of one of the stations included within your sample;

18   yet, you did not have a peoplemeter in that county

19   that would measure that?

20   That would depress the share of Public

21   Television as reflected in the viewing figures. Isn't

22   that right?

23   A   No, that's not because one would expect

24   that there would be an equal number of counties for

25   which there was no viewing which were not included in

1   the peoplemeter study. That's the nature of sampling

2   and particularly with relatively low sample sizes.

3   I can virtually assure you that the

4   situation that you described would exist, and I can

5   virtually assure you that the opposite one would as

6   well and that, in fact, they would average out to what

7   the true average viewing levels for PBS on a distant

8   basis would come to.

9   Q   But doesn't that rest on an assumption that

10 the Public Television stations you've included within

11 your study are, in fact, a random sample of Public

12 Television stations nationwide in relation to distant

13 cable viewing? Isn't that a necessary predicate of

14 the conclusion?

15   A   I think you lost me there somewhere. If

16 you could restate the question?

17   Q   Sure. Doesn't the conclusion you just

18 stated depend on the assumption that the Public

19 Television stations you've included within your sample

20 are reflective of the universe of Public Television

21 stations that are subject to distant signal viewing by

22 cable subscribers?

23   A   Okay. The answer to that is yes and no.

24   Q   How about you give me the yes side first?

25   A   Let me give you the no side first. Okay?

1 And the reason for that is that, once again, it's

2 important to keep in mind when you're sampling, you're

3 always going to have loads of -- you know, for

4 instance, when you poll a sample of households, the

5 peoplemeter households, you poll 4,000 of them, there,

6 in fact, are 90 million homes you, in fact, are not

7 polling.

8 And 4,000 will give you a good measure of

9 the 90 million that you're not, but you can be sure

10 somewhere out there in the 90 million there's loads of

11 people who, in fact, were watching PBS, for example,

12 more heavily than some of the people in the

13 peoplemeter sample.

14 You will, in fact, have some very heavy

15 viewers, but it would be possible to say, "Well, look,

16 here are all of these people who are heavy viewers of

17 PBS. And you haven't included them."

18 And, once again, you will also not be

19 including loads of people who don't watch PBS at all.

20 And it is important, again, when you start trying to

21 get to a micro level to realize that. And all of

22 those instances will always crop up.

23 In terms of the yes portion of it, that --

24 the answer in terms of any sample is that the data

25 will be as representative as the people that, in fact,

1   are -- or not the people, but the stations that are

2   included in it.

3   And if there were somehow something wildly

4   different about the stations that were included than

5   the real world, then, you know, the hypothesis could

6   have some differences.

7   There's no reason to believe with a random

8   sample that you would find that other than the

9   statistical oddball PBS station that could be selected

10   that you would expect.

11   Q   But if you had ended up with a sample of

12   Public Television stations that had some systematic

13   bias such that you really hadn't picked up those

14   Public Television stations with the most likely volume

15   of distant signal viewing, you would agree that you

16   could have under-measured the Public Television

17   viewing on a distant basis?

18   A   I'm saying if you selected stations with a

19   systematic bias, that could be true. But, in fact,

20   there is nothing about how we selected the sample that

21   could put a systematic bias in it.

22   Q   But I'm saying: If the result of, however

23   you selected, your sample is that the population you

24   have used in your sample has a systematic bias such

25   that you're seeing lower levels of distant signal

1 viewing among those stations in your sample, you're

2 going to end up understating PBS's share?

3 A   I would go back to "systematic bias" is a

4 very specific term. And I would say that the only

5 type of systematic bias that could be included in this

6 sample is that if there were PBS stations that, in

7 fact, were not on the list to begin with of the 754.

8   Everything else is a random sample for

9 which you -- if there are different types of viewing

10 levels on a distant basis, the different PBS stations,

11 you would expect some that would have a lot and some

12 that would have a little. And it will be a random

13 crap shoot.

14   But I cannot concur with the systematic

15 bias at all in this regard.

16 Q   Well, let me move away from that term of

17 "systematic bias." I'm saying: If the result of your

18 sampling method, however you do it, is a sample that

19 is skewed such that you have lower levels of distant

20 viewing in that sample than you have in the total

21 population of Public Television stations, you would

22 agree that the results were going to be understated

23 for Public Television?

24 A   It's kind of a "Do you beat your wife?" or

25 "Have you stopped beating your wife?" kind of question

1   because, of course, if you're saying you select --

2   and, again, I use the people as an example because I

3   think it makes it clearer for everyone -- it's saying

4   "Well, if you selected a random sample, but everybody

5   you got doesn't watch much television," aren't they

6   going to watch less than the average population out

7   there? And you think, well, of course, that would

8   happen, but there's nothing about how we're selecting

9   this that could cause that to happen.

10   Could it happen in a completely random

11   fashion? Sure, but your odds become similar to, you

12   know, those standard errors that I was talking about.

13   You can never say you're 100 percent sure of anything,

14   but odds are you can feel 99 percent confident, I'm

15   sure, that, in fact, you're going to get a fairly good

16   distribution of viewing people within a random sample

17   and that the same could occur with PBS.

18   Q   Now, let me --

19   A   I am not saying -- and, you know, just --

20   I will grant the point in this regard, that it is

21   possible that the viewing to any sample of stations,

22   any sample of PBS stations, could average less than

23   the average viewing to all of them, but I would add

24   the qualifier on that that you would expect that that

25   would happen 50 percent of the time and that it would

1   be higher 50 percent of the time.

2   And there's no reason to say the way that

3   it was selected would make it go kind of one way or

4   the other. And it's, again, the nature of both math

5   and sampling.

6   Q   Well, now, you worked heavily off of

7   rankings by distant subscribers in initially forming

8   your sample. Isn't that right?

9   A   That is correct.

10   Q   And would you agree with me that there's no

11   necessary correlation between distant subscribers and

12   distant viewing, that you could, for instance, have

13   higher levels of distant viewing, even with stations

14   that have lower levels of distant subscribers?

15   A   It is possible, but -- well, I'll say it's

16   possible, but I was going to say not probable.

17   Generally the size of the viewing is going to equate,

18   at least in some rational proportion, to the size of

19   the people that can receive it.

20   Q   Have you ever looked at that question?

21   A   There's any number of examples.

22   Q   No. Let me just ask about the relationship

23   between distant subscribers and distant viewing.

24   A   No.

25   Q   Let me turn to the total number of

1   peoplemeter households, 256 peoplemeter households,

2   that have reported viewing to Public Television on a

3   distant basis in your study.

4   A   That is correct.

5   Q   And that's an accumulation over four months

6   of observations. Is that right?

7   A   That is correct.

8   Q   And so does that average out to about 70

9   peoplemeter households in each month that would have

10   reported some viewing to Public Television?

11   A   No, it does not. Again, remember we're

12   dealing with two separate things. And we talked about

13   the diary and the independent samples. That's where

14   you can kind of chop it up to a quarter of the sample

15   to approximate how much was there for any period.

16   Here, once again, when we're talking about

17   the peoplemeters, it's a panel. I can't say on any

18   given day how many of those 256 were in there, but,

19   once again, it is not possible to divide it up in that

20   fashion.

21   Under certain circumstances, those 256

22   could have been there all four months. It's unlikely,

23   but, in fact, it could happen.

24   Q   So there is some amount of addition between

25   the four months observed, and then there's some amount

1   of replication is what you're saying, that in some

2   months, you might have some of these households

3   reporting viewing in each of the four months?

4   A   That is correct.

5   Q   And do you know how many of these

6   households would have reported viewing in each of the

7   four months?

8   A   No, I do not.

9   Q   Is there any way to determine that?

10   A   It could be determined.

11   Q   I take it that's the sort of information

12   that would be revealed by information on a station by

13   station basis; right?

14   A   No. In fact, that's something that I can

15   pump out of a computer in an aggregate basis the same

16   way I did the other program-type data. I simply do it

17   by month, instead of for the four months combined.

18   Q   With the Tribunal's dispensation, I'd ask

19   for that unless that's burdensome, Mr. Lindstrom.

20   A   No. I can get that.

21   Q   Now, is there any way to come up with a

22   figure on the number of peoplemeter households that

23   would have reported viewing for any individual Public

24   Television station that was included within your

25   study?

1   A   I just want to make sure I'm clear on that.

2 If you could again repeat the question, please?

3   Q   Sure. Is there any way to determine how

4 many peoplemeter households reported distant signal

5 viewing for any given Public Television included

6 within the study?

7   A   Again, you're talking about separate runs,

8 and it would take a fair amount of doing. It is a

9 more complicated process than, in fact, finding

10 viewers to PBS programs.

11   Q   Let me back up just a minute. Am I right

12 that there were 34 Public Television stations included

13 within your study?

14   A   I did not go through and count them, but

15 based on the percentages of viewing, I would guess

16 it's somewhere in that range, yes.

17   Q   And is there any way to know, of those 34

18 stations, how many of them received any viewing at all

19 in your study?

20   A   It is easy enough to go down through the

21 list of stations that were put into exhibit by Mr.

22 Stewart, can eliminate stations that say "No viewing

23 outside the DMA."

24   Q   Well, when there's an entry there for "No

25 viewing outside the DMA," does that mean that there

1   was no distant signal viewing picked up for that

2   station within your study?

3   A   That is correct. The DMA is a smaller area

4   than the distant definition.

5   Q   This is on NAB Exhibit 42-X.   Is that

6   right?

7   A   I didn't happen to write down the number,

8   but --

9   Q   I think that's right.

10   A   Yes, that's correct.

11   Q   So does that document that Mr. Stewart

12   marked as an exhibit reflect a compilation after you

13   had run the study? Essentially, this reflects a

14   compilation that is based on the results of the four

15   months of data?

16   A   It is based on a preliminary sort of

17   information that was done to determine how many of the

18   180 stations, in fact, had viewing to them.

19   COMMISSIONER GOODMAN: May I interrupt one

20   second?

21   MR. HESTER: Yes.

22   COMMISSIONER GOODMAN: Perhaps you said

23   this, Mr. Lindstrom, and I missed it.   When the

24   viewing status indicates that the station had -- no.

25   When there is no indication on the exhibits that the

1 station had viewing outside the DMA, does that mean

2 that it wasn't carried as a distant signal, A; or, B,

3 it was carried as a distant signal, but there was no

4 recorded viewing of that signal; or, say, both of the

5 above?

6 THE WITNESS: It would have to have been

7 carried as a distant signal in order to have made it

8 into the sample frame. It is one of the points that

9 I would raise, and I hope everybody understands with

10 sampling, as I tried to point out, you will end up

11 with people who are very heavy who are out of your

12 sample and people who are very light who are out of

13 your sample.

14 The same thing can be said here that you're

15 always looking at averages of usage that are going to

16 occur. Many of these stations, if I even look at Mr.

17 Cooper's exhibit as an example -- let me just find it,

18 the appropriate page, and I can reference it. It's

19 Exhibit 2, "Sample Stations for 1990, Special Diary

20 Study."

21 And, in fact, this is a case -- this

22 actually doesn't make the point that I was going to

23 make because this is restricted to the stations that

24 have 80,000 or more subscribers, but there are many of

25 these stations that, in fact, are going to have very

1 low numbers of people who can receive them on a

2 distant basis. And that it going to happen because we

3 wanted the frame to include them all.

4   And if you don't include them all, you say,

5 "Well, what's the cutoff?" And if you -- you know,

6 that's where in past years we cut it off, at 80,000,

7 you know, saying, for all practical purposes, anything

8 less than that doesn't amount to a whole lot, but

9 questions had been raised at the Tribunal. So we

10 wanted to make it as all-inclusive and projectable to

11 all distant viewing as possible.

12   What ends up happening, then, as a result

13 is that you can end up with many stations that are

14 receivable by -- pick a number -- 10,000 subs. There

15 are quite conceivably systems that fall into that type

16 of level or 20,000 subscribers, sometimes probably

17 even less than that.

18   When you're dealing with the peoplemeter

19 sample -- and this is, again, just on a very practical

20 purpose -- if you have a little less than 100 million

21 homes within the U.S. and a 4,000 peoplemeter sample,

22 then in just doing the math very quickly, you can see

23 you have a projection value of about 25,000 people per

24 household.

25   When you are, in fact, producing averages

1   for viewing levels that will be below that level of

2   usage, then what you are going to be doing is

3   combining. You know, if you think about it, as a lot

4   of "Yes"/"Nos," a couple of viewing points with

5   viewing at -- listed officially at approximately

6   25,000 and loads with zero viewing because those are

7   kind of the two points that you can throw in there,

8   your "Yeses" and "Nos." And, in fact, the averages

9   will work out to give you the appropriate level of

10 usage that will be occurring.

11   The same type of principle will happen,

12 though, that you would expect that if you were pulling

13 a wide spectrum of stations, a lot of which, in fact,

14 are received by not very many subscribers, and viewing

15 levels are low, that in many of those instances, that

16 you will, in fact, not find viewing, but that, in

17 fact, is part of these broad averages that need to be

18 aggregated out to.

19   This has been sort of a long-winded

20 explanation, but it is, in fact, very important to

21 keep that in mind that this is not expected and should

22 occur at a point where you're selecting from a total

23 sample frame, including stations with very low numbers

24 of receivable people and is also part of the reason

25 why I keep stressing that it is important that you

1   have to aggregate those stations in order to be able

2   to determine the actual usage levels.

3   COMMISSIONER GOODMAN: I guess by

4   aggregating a bunch of zeros, it's still going to be

5   a zero.

6   THE WITNESS: But by aggregating a bunch of

7   zeros with, in fact, other of the viewing, you will be

8   getting a more accurate picture of the overall. You

9   will expect that some will average high -- I mean,

10   again, that half of them will be too high, half of

11   them will be too low. And, as you average them, in

12   fact, you will get a fairly stable number that will be

13   an accurate reflection of the picture overall.

14   I mean, that's in the broadest-base way of

15   trying to explain those things. I could probably

16   illustrate it better, but --

17   COMMISSIONER GOODMAN: Thank you.

18   BY MR. HESTER:

19   Q   Do you weight the results received from any

20   given peoplemeter?

21   A   No, we do not.

22   Q   So it's a straight cumulation of the

23   results as received from each peoplemeter that leads

24   to the final figures?

25   A   Again, in the total peoplemeter sample,

1   that is correct.   In the instance of this study,

2   again, data is generated in the two strata.   And they

3   are   weighted   separately.   But   each   individual

4   household is, in fact, not weighted per se.

5   Q   Let me just follow up with one more

6   question on NAB Exhibit 42-X.   Do you have a copy of

7   that in front of you or somewhere around?

8   A   Yeah.

9   Q   Simply to clarify, on the first half of

10   this exhibit, where we see listed a number of

11   stations, these are all of the stations that were

12   included within the 180 stations of your sample?

13   A   I believe so. Without going through it to

14   confirm it, I couldn't say 100 percent, but I believe

15   that that's the case.

16   Q   And so each of these stations has some

17   amount of distant subscribers which we can verify from

18   other sources; right?

19   A   That is correct.

20   Q   And then the ones where we see a blank in

21   the "Viewing Status" column, those are the stations

22   for which there was no reported distant signal viewing

23   during the four months?

24   A   That is correct.

25   Q   Are you aware of any surveys or data

1   sources that Nielsen sells to any of its customers

2   that have samples as low as 256 in total?

3   A   We sell many of them in terms of less than

4   256 households that, in fact, can receive a given

5   programming source. To base data on 256 that have

6   actually viewed is, in fact, loads more than is done

7   in many instances.

8   Q   Your standard NTI service is based on a

9   much larger number of households reporting. Is that

10   right?

11   A   Standard NTI service has minimum sample

12   sizes, as I expressed earlier, of 145 households to

13   report individual day data.

14   Q   Mr. Lindstrom, would you agree that from

15   among the 34 Public Television stations included

16   within your study, it's at least possible that some of

17   them were being distantly retransmitted into areas

18   where there were no peoplemeters that would be picking

19   up viewing?

20   A   Again, it's important that people are kind

21   of clear in understanding the answer on that because

22   I couldn't say definitively that there were, but one

23   would expect that the counties -- that there will be

24   counties that, in fact, don't have peoplemeters in

25   them where PBS is important.

1   There are also cases where the same would

2   be true for TBS and ABC and everyone else that, in

3   fact, that will happen not because of a systematic

4   bias, but simply because you are taking a sample.

5   And if, you know, you have a county right

6   here and you have a home in it and a county right

7   there and it doesn't have one in it, well, this home

8   kind of represents that county and that you would --

9   you know, the viewing will, in fact, represent those

10 people as well.   It's the way that the sample is

11 selected.

12   I would go so far as to say that if we had

13 counties where we didn't have peoplemeters where

14 nobody viewed PBS on a distant basis, that, in fact,

15 it would be more reason to question the sample than,

16 in fact, that there probably are.

17   Q   But would you agree with me that this point

18 that we've just been discussing is more likely to

19 affect PBS stations which are retransmitted in more

20 regional or local areas than it will be to affect PBS,

21 for instance, which is obviously retransmitted much

22 more broadly?

23   A   I wouldn't necessarily say that it was

24 because of any type of regional aspect to it.   The

25 only way that that would, in fact, be the case would

1 be if your signal tended to be retransmitted primarily

2 into areas for which there is a very sparse

3 population, in which case we have clusters of counties

4 which are combined for our sampling points because

5 there are so few people in them. Therefore, one

6 county is going to be chosen to represent the cluster

7 of counties.

8   So the less people who are in the counties,

9 the less likelihood that, in fact, you will find a

10 peoplemeter in that county. But, once again, the very

11 nature of it is that, in fact, the viewing in the

12 adjacent counties will, in fact, be pushing up the

13 amount of the population that they represent that, in

14 fact, falls in that county.

15   Q   Let me ask you a question.

16   A   And I need to stress that point because

17 even in terms of the asking for the individual county

18 data, it is important to remember that in those rural

19 areas, we are talking about county clusters.

20   And so that the very fact that the counties

21 are clustered is saying that this person -- this

22 peoplemeter home that we have selected or these

23 peoplemeter homes we have selected represent that

24 cluster of counties.

25   The fact that they fall in one or 2 of the

1   5 is simply because there's only 50,000 people in

2   these 5 or however many county cluster that we're

3   talking about.

4   Q   But you could well be talking about an area

5   of the country where you might have a relatively small

6   number of peoplemeters; is that right, what you've

7   just been discussing, a rural area where you could

8   have a relatively small number of peoplemeters?

9   A   Oh, you would have a relatively small

10   number of peoplemeters because you have a relatively

11   small number of people. It is the peoplemeters that

12   are going to be in proportion to the population so

13   that you can be pretty sure that you are going to have

14   one for every 25,000 people.

15   And if you end up -- and I have to keep

16   stressing this. You are likely to end up with a

17   person who has the equivalent weight of 25,000 who is

18   living in a county with 500 people.

19   We don't make county definitions. We can't

20   do anything about that. So we, in fact, are

21   clustering counties to have a sufficient population

22   base for which that person has been randomly selected.

23   And they do represent the viewing of those counties

24   where there are not peoplemeters.

25   So that, again, there is not anything about

1   that situation that should create a systematic bias.

2   Q   Unless, again, your sample stations for

3   Public Television are skewed in some way toward those

4   that have less distant viewing?

5   A   Right. And, as I said, that's a very big

6   "if."

7   Q   Now, you mentioned before that 22 percent

8   of the programming time within your sample was for

9   Public Television. Do you recall that?

10   A   Again, I don't think I said it, but I know

11   that that's the number.

12   Q   You do know that's the number?

13   A   Yeah.

14   Q   Now, that doesn't mean that 22 percent of

15   the programming actually available to the peoplemeter

16   households   included   in   your   study   was   Public

17   Television, does it?

18   A   No.   It means that of the -- and it's

19   actually fairly easy to work this out, is that it

20   means that of the 180 stations, when we went through

21   and   put   all   of   their   lineups   together,   that

22   essentially 22 percent of the programming on the 180

23   stations was PBS programming.

24   Q   Right.

25   A   Based on that, you can pretty well go in

1   and say since PBS got virtually credit for everything

2   on them, that it's easy enough to say it should be

3   approximately 22 percent of the stations as well,

4   which, coming back to your 34 stations, is right in

5   that ballpark.

6   Q   But --

7   MR. LANE: Excuse me. Can I just make one

8   correction? It was the non-network programing, that

9   180 stations. Is that correct, Mr. Lindstrom?

10   THE WITNESS: Okay. That is correct.

11   MR. LANE: So it's not all of the

12   programming on the stations.   It's all of the

13   non-network programming on the stations, which, as you

14   know, is all that's compensable under the Act.

15   BY MR. HESTER:

16   Q   But, again, going back to my question, am

17   I right that you have computed this 22 figure simply

18   by adding up the time on the noncommercial stations

19   and the non-network programming on the commercial

20   stations included within your sample to come up with

21   this figure of 22 percent?

22   A   That is correct.

23   Q   And it doesn't take into account

24   availability of different programming types to the

25   peoplemeters included within your sample, does it?

1   A   No, it does not.

2   Q   And so, specifically, we can't draw the

3   conclusion that 22 percent of the distant signal

4   programming available to all of these households was

5   Public Television? We can't draw that conclusion, can

6   we?

7   A   No, we cannot.

8   Q   And I take it based on what you said

9   before, that there really isn't a way to know in

10   percentage terms how much of the programming available

11   to these households on a distant signal basis was

12   Public Television?

13   A   It could be approximated by essentially

14   taking PBS and non-PBS stations and in some fashion

15   appropriately doing a weight average based on the

16   number of distant subscribers for each of those

17   stations.

18   It's a bit of a jerry-rigged way of doing

19   it, but, in fact, it would be an approximation. And

20   it would also certainly be substantially less than 22

21   percent.

22   Q   That the amount of Public Television

23   programming available to the sample was less than 22

24   percent of the total distant signal programming? Is

25   that what you meant?

1   A   I am saying the total percentage of hours

2   if it were to be weighted by the number of people who

3   could receive each of those stations, that PBS would

4   definitely, in fact, have a substantially lower number

5   of persons' programmed hours or whatever you would

6   like to call it.

7   Q   Let me ask you, if you could, to turn to

8   Page 10 of your written testimony, which is, I

9   believe, the page of results. Do you have that?

10   A   Yes, I do.

11   Q   Do you see the relative error figure for

12 noncommercial stations is reported as 23 percent?

13   A   Yes, I do.

14   Q   Could you explain how that relative error

15 is computed?

16   A   Not in any easy way.

17   Q   Let me stop you.

18   A   I mean, I can, in fact, tell you what goes

19 into that and what can make differences in relative

20 errors, but in terms of the exact computation

21 procedures, no, I couldn't.

22   Q   I was going to stop and ask you: Is this

23 something that's found in the NTI reference manual,

24 the methodology for computing the relative error?

25   A   There is information in the NTI reference

1   supplement on how to approximate relative error, which

2   is usually sufficient in most cases. To truly

3   calculate out relative error, it's important to look

4   at the actual data that's going into a -- into the

5   study itself.

6   Q   And so how has the relative error been

7   computed here? Without telling me the formula, just

8   tell me how it's --

9   A   It is based off of the data that is in

10   here.

11   Q   What data are you referring to, the

12   individual observations from the peoplemeter

13   households that reported viewing for Public

14   Television?

15   A   It is actually calculated off of home by

16   home data.

17   Q   Does it depend upon the number of homes

18   that actually reported viewing to Public Television?

19   Is that one of the parameters?

20   A   That is one of the factors that will, in

21   fact, influence the standard errors.

22   Q   Is another factor that will influence the

23   standard error the number of households reporting to

24   Public Television as compared to the total that you

25   have within your sample?

1   A   No, it will not, not in this instance.

2   Q   Would you agree with me that that relative

3 error of 23 percent is quite high?

4   A   It is relatively high, yes.

5   Q   And when you say "relatively high," what

6 does a relative error signify to you when it has

7 gotten up to the range of 23 percent?

8   A   There are two things to keep in mind in

9 terms of relative error, one of which is that -- and

10 I always hate to keep saying these things because they

11 sound really dumb at points, but I think it's

12 important to keep in mind. It's called relative error

13 because it is relative to the number that's being

14 measured.

15   So that in this case we're saying there's

16 a 23 percent relative error. And so it is saying --

17 you know, it gives a gauge of the confidence around

18 that number.

19   But the other factor to keep in mind is

20 that the standard error itself is relatively low. So

21 it becomes a fact that the distribution percentage is

22 fairly low that can help create a higher relative

23 error, I mean almost in and of itself.

24   However, I will answer this is kind of a

25 roundabout way because there are a couple of points

that are important with that. The other is that the standard error, in this case .68, is associated both with the number itself, with the three percent that, in fact, you have for noncommercial, but it's also the same standard error that you would find with the percentage of viewing that didn't occur in noncommercial. And I think that that's important when you look at any of these numbers.

So that it becomes an indication that you have a fairly substantial idea that 97 percent of the viewing that occurred didn't, in fact, occur for noncommercial.

I'm not trying to be -- you know, not trying to put any negative connotations on that in either way. I'm just saying that it is an important gauge, saying that the smaller the number, the greater the confidence you can have, that, in fact, it's a fairly small number. But, in fact, the wider the relative range will be around those numbers.

It just -- I don't know if I ever answered the question or not.

Q   I've forgotten what it was.

A   I think I've been in Washington too long.

Q   I'll try again. First of all, let's go back. You said that relative error gives a gauge of

1 confidence about the results; right?

2   A   That is correct.

3   Q   And a higher relative error means, all

4 other things equal, that you have less confidence in

5 the results?

6   A   That you will have a greater range or a

7 greater relative range around the numbers than you

8 will have in other cases.

9   Q   And when you say a "relative range around

10 the numbers," that means in this case of noncommercial

11 television, you have lesser confidence that the

12 reported figure of three percent is, in fact, the real

13 number?

14   A   That you would, in fact, need a broader

15 range around that noncommercial figure than you do

16 around some of the other figures in terms of what --

17 you know, what kind of number range you would put

18 around it.

19   I realize this is -- we're probably both

20 kind of dancing around trying to say the same thing,

21 but if you want to take one more shot.

22   Q   When you have a relative error in this

23 range, I take it it begins to suggest that the result

24 is not reliable.

25   A   It suggests that the number itself is

1   likely to bounce if, in fact, you were to do it again.

2   And in the case of the three standard errors or the 99

3   percent confidence, we put a range of saying it could

4   be from one to 5 in order to be 99 percent sure.

5   Using the 95 percent confidence level that

6   we talked about before to do standard errors, you

7   would still be looking at between 1.7 and 4.3,

8   roughly, as the range around those numbers.

9   Q   But, in other words, one conclusion that

10   flows from this relative error is when you said the

11   number is likely to bounce if you did it again. You

12   could run this again and get a number of five,

13   couldn't you, for PBS? And that would still be within

14   your confidence intervals?

15   A   It would be within the furthest out.

16   Q   Right.

17   A   But it -- I don't know that I feel

18   comfortable saying you get a five very often, but, in

19   fact, you are more likely to get some movement around

20   that center point than you would with the other

21   categories.

22   Q   Okay. So the first point that we conclude

23   out of this relative error is that you're more likely

24   to get movement if you did this again than is true

25   with respect to the other categories?

1   A That is correct.

2   Q And you would also agree that within the

3 confidence intervals you have set forth here, if you

4 did it again, you could end up with a value of five

5 for PBS?

6   A I'm saying you could be virtually certain

7 that if you did it again, it would fall somewhere

8 between a one and a five.

9   Q Right. And if you applied even the 95

10 percent confidence interval you mentioned, if you did

11 it again, you could get a result for PBS as high as

12 4.7, and it would still --

13   A As high as 4.3.

14   Q I'm sorry.

15   -- 4.3 and still be within the ranges

16 you're talking about?

17   A That is correct.

18   Q Now, does Nielsen put special designations

19 on results when it starts seeing relative errors in

20 this range of 23 percent to 25 percent?

21   A Traditionally we put a notation on data

22 that has a relative error of 25 to 50 percent and a

23 different type of notation on relative error that

24 exceeds 50 percent.

25   Q What does the notation say for relative

1   errors in the range of 25 to 50 percent? I can give

2   you the manual if that would help you.

3   A   That's -- I probably have the manual

4   somewhere. If you know where it is, I can --

5   Q   Sure. Actually, I have it.

6   MR. HESTER: This actually may be useful if

7   I mark this as an exhibit.

8   (Whereupon,   the

9   aforementioned document

10   was   marked   for

11   identification as Public

12   Television   Exhibit

13   Number 1-X.)

14   CHAIRMAN DAUB: Did you designate that an

15   exhibit number?

16   MR. HESTER: I'll put this into the record.

17   Just for the record, I have handed the witness a

18   document that bears the notation "PBS Exhibit 1-X."

19   The first page is a copy of the cover to the Nielsen

20   Television Index reference supplement for 1990-91.

21   And attached to it are Pages 29 through 35.

22   BY MR. HESTER:

23   Q   Mr. Lindstrom, are you familiar with this

24   document?

25   A   Yes, I am.

1   Q   Could you just describe very briefly what

2   it is?

3   A   I talked, I believe it was yesterday, but

4   at some point within my testimony, I had referred to

5   the fact that we produce a reference supplement that

6   gives full details in terms of what it is that we do

7   and for which the EMRC audits us to make sure that, in

8   fact, we're doing what we're saying.

9   That becomes kind of a guidebook to the

10   service and is known as a reference supplement. And

11   this is a selected group of tables from that reference

12   supplement.

13   Q   And if I could direct you over to Page 30

14   -- let me begin, actually, if I direct you to Page 29

15   at the bottom, numbered .3. Is this where it

16   indicates that when you have estimated relative errors

17   in the range of 25 to 49 percent, you put a special

18   notation next to the results?

19   A   That's correct.

20   Q   And then over on the top of the next page,

21   after the reference to "Note to Benny," there's a

22   paragraph that begins, "Audience estimates so

23   designated are of marginal statistical significance

24   and are reported as a convenience to report users."

25   Do you see that?

1   A   Yes, I do.

2   Q   And that's a reference to estimates that

3   have relative errors in the range of 25 to 49 percent.

4   Is that right?

5   A   It's a little bit hard to tell, but I would

6   say that that's probably what it is referencing.

7   Q   And what it's saying, then, is that a

8   result with a relative error in the range of 25

9   percent or above would be considered of marginal

10   statistical significance. Is that right?

11   A   For ratings purposes, it is saying,

12   basically translating it in terms of what I said

13   before, that you are going to have the numbers bounce.

14   Q   And when you say "bounce," that means that

15   if you redid the numbers, there would be a reasonably

16   high likelihood that you would see some variation when

17   you did them again?

18   A   That's correct. I mean, you will generally

19   have a solid working knowledge that the number that

20   you have is very low, but it becomes -- what is that

21   exact level is a little bit harder to pin because to

22   some extent, it's a -- I don't want to say a moving

23   target, but it is one that will bounce around within

24   a broader range.

25   Q   And that's also reflected, isn't it, in the

1   final paragraph above .B on Page 30, where it

2   indicates in the first sentence of that paragraph,

3   "The basis for denoting ratings with high relative

4   error is such that these designations should be

5   considered as guidelines, rather than precise

6   notations"? Do you see that?

7   A   That's correct.

8   Q   So that it really is hard to call this

9   result for PBS a precise figure, isn't it, given the

10   relative error that you have?

11   A   That's correct.

12   Q   Now, what we have been talking about with

13   standard error and relative error, those are both ways

14   to measure sampling error. Is that right?

15   A   That is correct.

16   Q   And am I right that there's also

17   non-sampling error in the study?

18   A   That's correct.

19   Q   And that if one wants to understand the

20   total magnitude of the error in the study, you really

21   need to add together the sampling error and the

22   non-sampling error to get to the total error?

23   A   They're not anything you can add. In

24   effect, users of any study should be aware that there

25   are such things as non-sampling error, and that should

1   be incorporated in the interpretation of any results

2   from any study.

3   Q   Could you give me an example of a

4   non-sampling error?

5   A   Non-sampling error. The most common one

6   would be the people who cooperate with you, whether or

7   not they're the same as the people who don't cooperate

8   with you.

9   Q   And non-sampling errors can affect the

10   validity of the results. Isn't that right?

11   A   That is correct. That is why we go through

12   the means we do in order to get our sample as solid as

13   possible.

14   Q   And non-sampling errors are not measured by

15   the standard error or relative error figures that

16   you've included in this table, are they?

17   A   No, they are not.

18   Q   Have you quantified the amount of

19   non-sampling error that you have in this study?

20   A   Non-sampling error is inherently

21   unquantifiable.

22   Q   You know it exists, but you don't know how

23   much there is?

24   A   That's true because in order to do it,

25   you'd have to collect the viewing data for the people

1   who won't give you viewing data.

2   Q   There are efforts in statistics to measure

3   non-sampling error for given kinds of studies, I take

4   it? You haven't done it here, but that can be done?

5   A   It can be done, but it is inherently

6   extremely difficult.

7   Q   And let me ask you, if I could, to turn to

8   Page 32 of Exhibit 1-X. This is in Subpart A under

9   "Sampling Error."   It's the last sentence before

10   Heading B, "For Trend Differences."

11   The sentence reads, "A standard error does

12   not provide an estimate of the extent of non-sampling

13   errors, and, hence, it does not indicate by itself the

14   accuracy of the audience estimates." Do you see that?

15   A   Yes, I do.

16   Q   And that's the point we've just been

17   discussing, isn't it, that you have non-sampling error

18   that also affects the accuracy of the audience

19   estimates?

20   A   That is correct.

21   Q   And that non-sampling error is simply not

22   measured anywhere in your results?

23   A   That is correct.

24   Q   Would you agree with the general

25   proposition that non-sampling error tends to be larger

1   than sampling error?

2   A   No, I would not.   It's too broad a

3   statement.

4   Q   Well, with respect to this specific study,

5   would you agree that non-sampling error is likely to

6   be larger than sampling error?

7   A   No, I would not. I could not even begin to

8   guess at an answer to that one. It's just an unknown.

9   Q   You just don't know?

10   A   I am aware that, in fact, that there is

11   such a thing as non-sampling error, and there is with

12   any type of research.

13   Q   I didn't mean to interrupt you. I'm sorry.

14   You   just   don't   know   whether   the

15   non-sampling error is larger than sampling error you

16   have observed?

17   A   I simply do not know at all about the

18   non-sampling error in this case.

19   Q   But going back to what we said at the

20   outset, you do agree that to assess the total error of

21   a study like this, you would really need to know both

22   sampling error and non-sampling error?

23   A   I'm trying to -- because I would have to go

24   back to that answer in terms of saying non-sampling

25   error is inherently unquantifiable. It is something

1   that needs to be taken into account, and it is

2   reflective of everything from cooperation rates to all

3   types of different things.

4   We as a company bend over backwards and

5   spends hundreds of thousands, if not millions, in

6   order to ensure that we are reducing non-sampling

7   error as much as possible.

8   Now, even at that, despite all of our

9   efforts, -- and, again, you know, most research

10   companies are not going to be doing that for

11   individual projects -- it becomes a given that you end

12   up needing to assume that if you can't find something

13   systematic that would say "There is something weird

14   here," then, in effect, you end up having to work off

15   an assumption that, in fact, the people who will

16   cooperate with you on research are going to be similar

17   in nature to those who won't and use the results

18   accordingly.

19   Q   But you're no longer working under this

20   bell curve that you were trying to demonstrate

21   yesterday, are you, when you've got non-sampling

22   error? It's not a random sample anymore when you've

23   got a non-sampling error?

24   A   No. You still have a random sample, but if

25   you were to take it to its extreme, you could make a

1   case that, in fact, there's a degree of people that

2   technically you would not project to, that being those

3   people who will not cooperate with your survey.

4   Q   And, as a matter of statistics, the total

5   error is going to be the sum of the sampling error and

6   the non-sampling error?

7   A   Again, they're not numbers that you can put

8   together in that type of fashion. I mean, there is --

9   I wish I could tell you that there is a number that

10   you could take and tag, but it is not.

11   It is an awareness that these types of

12   things exist and that no research should be taken as

13   100 percent absolute truth because it fundamentally is

14   not. It is an estimate. And sampling error will go

15   into that.

16   Q   And yesterday, for instance, when you were

17   talking about the 99 percent probabilities as to what

18   the share is in the viewing results for Syndicated

19   Series and Movies, you weren't taking into account the

20   non-sampling error, were you?

21   A   No, you're not. You are in those

22   circumstances saying if you took umpteen samples of

23   4,000 homes with meters in them, that, in fact, you

24   would get the same results.

25   If there is a degree of non-sampling error

1   that goes into the placement of the meter, then that

2   would, in fact, not be a piece of that equation.

3   Q   Yesterday in your discussion with Mr.

4   Garrett, do you recall when he was asking you about

5   the average number of hours of distant signal viewing

6   for Syndicated Series and Movies and you talked about

7   a range of between two and a half hours and five hours

8   per week? Do you recall that?

9   A   I recall it. I would still say that is a

10   leap of faith on those numbers and a general

11   approximation. So I don't feel -- didn't want to get

12   held to that yesterday and wouldn't want to today, but

13   I will say I remember talking about it.

14   Q   Yes. I really just wanted to circle back

15   to that general discussion. As I recall, you said

16   that the reason you put a range around that is because

17   there's some constant turnover of the peoplemeter

18   households. Is that right?

19   A   Both a turnover of the peoplemeter

20   households and turnover in cable. There are people

21   who are going to be signing on and dropping cable all

22   the time. So that not all of those homes will be, in

23   fact, cable and/or in the same during the entire

24   yearlong period.

25   Q   And so your point was that the measured

1   viewing for a given category could, in fact, be higher

2   than what you were showing in these results because

3   you could have some turnover that was affecting the

4   results you see here. Is that right?

5   A   No. It's not so much affecting as saying

6   if somebody is averaging two hours a week of viewing

7   but they only have six months to do it in, if you look

8   at their average across the year, it's going to look

9   like it's only an hour.

10   I mean, in effect, if you were to take it

11   and spread it out, look at it taking into account

12   those durations, then the actual average usage would

13   be the two hours that, in fact, they average for the

14   six minutes -- or the six months they were there.

15   But it is a function of duration in the

16   sample that I was trying to place a range around it.

17   Q   And that point would also apply to viewing

18   on Public Television. Isn't that right?

19   A   That is correct. It would apply to every

20   viewing source in the study.

21   Q   So that each of the results could, in fact,

22   be understated if you take into account this turnover

23   that you have described?

24   A   No. "Understated" is not the right word.

25   Q   I'm sorry.

A What I was saying was that you, in fact, cannot do what Mr. Garrett was trying to do because you are missing a piece of information in order to actually calculate out the average usage per week.

On the other hand, when you're looking at it on a gross basis in terms of minutes in the fashion that we are, that duration question does not come into play.

Q I didn't mean to use that term. If you look at the figures you're showing for Public Television, those figures could actually be higher than what you're showing here if you take into account this turnover effect, where you have certain households within your sample that would be watching Public Television for less than the full year?

A I think it's important to make one point here, which is that in the calculations that we do in terms of this distribution, the number could be 10 million. It could be 50 million. It really doesn't matter what that number is because, in fact, it's not relevant to anything other than that that's what you get when you add up all of these minutes.

Whether or not you could try and take into account duration and say, "Therefore, instead of being in the average for 9 months, we'll weight it up. And

1 the total gross figure is really 12 million," and if

2 we translated it out to get hours of usage in terms of

3 Mr. Garrett's equation, that we would come up with a

4 different number, yeah, that's possible, but it, in

5 fact, really has no bearing on a distribution scheme.

6 I mean, we're looking at shared data, and

7 there is nothing that would indicate that, in fact,

8 those numbers would change any differently for

9 yourself as well as anyone else. And I think that

10 that's important.

11 I mean, it's just -- anything that's

12 important, that everyone here understands that, even

13 though we're talking about this 10 million, this 10

14 million really is -- could be anything.

15 Q But the point -- are you finished? I

16 didn't mean to interrupt.

17 A Yeah.

18 Q The point you were making about turnover

19 and its impact on Syndicated Series or Movies, that

20 same point applies to Public Television viewing?

21 A My point was not that it did anything to

22 Syndicated Series or Movies. And I'm saying here that

23 it didn't. I'm saying that what it does is it makes

24 it difficult to try to do the kind of jerry-rigged

25 computation that Mr. Garrett was doing.

1   And because of that, I was willing to say,

2   "Well, okay. It tells you here within a couple of

3   hours. And if that's close enough, then fine. Let's

4   continue to talk."

5   If you need an exact number, it just cannot

6   be done from this data because it wasn't put together

7   in order to do that. It was put together to do a

8   distribution of total viewing.

9   Q   Let me ask you about the selection of the

10   180 stations you used in your study. Did you consider

11   using the same method that was used to select the

12   stations for the diary study?

13   A   That was a possibility. Part of the reason

14   why we had elected to go in the other route was there

15   were always criticisms in the past that said, "Well,

16   you're only looking at the larger systems or the

17   stations that have the most carriage. You know,

18   you're forgetting about all of these other guys."

19   And we said, "Okay. Let's not forget about

20   them. We'll include them in the frame and make it

21   projectable to everyone, even though, in reality,

22   they're not going to influence things very much. They

23   inherently can't. They're carried by so few people.

24   But we would include them all in order to

25   get around an objection that had been raised in the

1   past before the Tribunal.

2   Q   And I take it you agreed with the objection

3   that had been raised in the past; right? You thought

4   it was a valid point that the diary sample wasn't

5   projectable?

6   A   It is projectable to all stations that had

7   greater than 80,000 distant cable subscribers on Form

8   3 systems.

9   And I would say that I wasn't in agreement

10   with the decision on the diary study to do that

11   because, in fact, the marginal gain that you get in

12   increases in total usage as you begin to add in the

13   smaller stations really doesn't become cost-effective

14   because, for all intents and purposes, you will find

15   a similar situation to what came up with the meter,

16   which is that you will find either very low or no

17   viewing simply because they don't -- you know, they

18   have so few people that they're available to.

19   And the ability of that to influence the

20   final distribution numbers is virtually nonexistent.

21   Q   But the diary study could have been run

22   with the same stratified sample that was run for the

23   meter. Is that right?

24   A   It could be run in that fashion, but, in

25   effect, what you would be doing is -- what we have

1   done with the meter sample is double the number of

2   stations. And the same thing could be done on the

3   diary for double the cost, but, in effect, you would

4   not necessarily get much, if any, more viewing by

5   adding in the next 100 stations, so to speak.

6   Q   Now, do you know how many stations overlap

7   between the meters and the diary study?

8   A   No, I do not. I have not made that

9   comparison.

10   Q   Did you consider that important or relevant

11 in formulating the meter study to think about how many

12 stations overlapped?

13   A   No, not whatsoever. We treated the metered

14 study as if it were a completely independent study,

15 saying, "Given this set of parameters, what would be

16 the best way to approach that research?" And we made

17 our recommendations.

18   Q   Did you perform the selection of the 130

19 stations that you've selected in random? Did you

20 perform that selection only once?

21   A   To the best of my knowledge. I really

22 don't know.

23   Q   Are you aware of whether there was more

24 than one sample that was drawn to do this meter study?

25   A   That's what I'm saying. I'm really -- I'm

1 not aware. I can say that, in fact, the sampling and

2 the criteria around it were left entirely up to us by

3 the MPAA.

4   Q   Before you did the work, did you send the

5 sample to MPAA for review?

6   A   There was input that was provided by the

7 MPAA all along. They would know the list of stations

8 that were included, but the selection process was up

9 to us. And we did not select a bunch of samples and

10 send them down to the MPAA and say, "Pick the one you

11 like."

12   Q   So far as you know, it was just done once?

13   A   That's what I'm saying. To the best for my

14 knowledge.

15   Q   Who decided to use 180 stations?

16   A   It was a figure that had been recommended

17 by our Stat Research Department. I believe that it

18 was based, in part, by the initial recommendation that

19 had been provided by Allen Cooper.

20   Q   What was the basis for his recommendation?

21 Do you recall?

22   A   I do not recall.

23   Q   Who chose to use a cutoff a top 50 in

24 forming the stratified sample?

25   A   I believe that that was our Stat Research

recommendation on the best way to approach it. Part

of the logic was is that a sampling plan had been

suggested by Mr. Cooper that would have involved a

greater number of strata, which would have involved a

greater differential in the amount of weight.

And it is preferable in general to keep

your weights as close as possible when you're doing

data of this kind. And so we selected a two-strata

mode to make our recommendations to flatten out the

weights as much as possible.

Q   Now, you worked off of rankings by distant

subscribers to select your top 50 stations; right?

A   That is correct.

Q   And that's not necessarily the same as

selecting the top 50 stations in terms of distant

viewers, is it?

A   Technically, it is not, no.

Q   What was the reason for using 34 Public

Television stations? Maybe I should back up. I will

represent to you that it is 34 because we've counted.

If that precise number is important to you, we can go

back and check.

A   No, it's not because there was nothing that

we did that said the number should be 34. It was

"Here is the station. Here is the list of stations.

1   Take the 50 with the greatest amount of subscribers

2   because they will, in fact, account for the bulk of

3   the usage."

4   And those top 50 stations, I would suspect,

5   account for 90 percent of the usage. I mean, I have

6   no idea what the exact numbers are, but that is --

7   would not surprise me.

8   Q   Do you know how many Public Television

9   stations were included within that top 50?

10   A   I do not know, but it would be certainly

11   available on that list. You could easily go down and

12   count the ones with a weight of one versus those with

13   a weight of 5.4.

14   Q   Did you have --

15   A   And then once we had made that

16   determination that we felt that it was best to put the

17   majority of the sample where you would get the most

18   bang for the buck by putting it against the

19   highest-usage stations, that we then did simply the

20   certainty strata and then a random sample and let it

21   fall out as it would. And, in fact, it fell out with

22   34 PBS stations.

23   Q   So there was not a separate selection

24   criterion applied to come up with the Public

25   Television stations?

1   A   There was not.

2   CHAIRMAN DAUB: Mr. Hester, may I ask you:

3   Where did you get 34?

4   MR. HESTER: Oh, I'm sorry. We have a list

5   that we have received from MPAA of the 180 stations

6   that were included in the meter study. I will say so

7   far as we have been able to count, we can only come up

8   with 178, but we have raised that with Mr. Lindstrom

9   and will solve that. It's either 178 or 180 total

10   stations.

11   And then we were able to separate out those

12   that were Public Television stations, and our count

13   was 34 Public Television stations, 72 independents,

14   and 72 network affiliates.

15   CHAIRMAN DAUB: You are unable to tell us

16   how many of those 34 belong in the top 50?

17   THE WITNESS: If I could look at the call

18   letters and knew whether it was a PBS station, we

19   could do it in two minutes. It is currently available

20   on the sheets that we have provided.

21   MR. HESTER: Yes. Madam Chairman, we can

22   come up with that number, and I don't think that will

23   be in dispute.

24   BY MR. HESTER:

25   Q   In selecting the stratified random sample,

1 did you give any consideration to the fact that you

2 would be under-representing PBS stations within the

3 top 50 of your strata?

4   A I don't think that you could underestimate

5 anyone in the top 50 simply because everyone who made

6 it in the top 50 is in there. You make your cases

7 saying that when you go into a subsampling whether or

8 not people were over or under-represented.

9   But certainly when you're taking a group of

10 stations with certainty that -- following that

11 criteria, it is impossible to say that there is an

12 over or under-representation.

13   Q I take it you would agree that if you had

14 ended up with more Public Television stations in your

15 sample, however it was selected, that if you had ended

16 up with more Public Television stations, the viewing

17 figure you show for PBS would be higher?

18   A I can't say that.

19   Q Isn't it a matter of the math?

20   A Well, but the math being that if you, in

21 fact, are adding viewing, then the percentage would go

22 up, assuming that you didn't add any other type of

23 stations. But at the same time, I can't necessarily

24 say that there would be any viewing to add in there.

25 That's my qualifier on that.

1 Q   And I take it that you did not undertake

2 any study to assess whether the Public Television

3 stations you had included in your study were

4 representative of Public Television stations as a

5 universe in terms of distant viewing on cable? That's

6 not something you've gone back to assess?

7 A   You could not do that unless you ran data

8 for all 754 stations and if you felt that the data you

9 had on each one of them was reliable, which it

10 wouldn't be. I mean, what you were asking with that

11 task is something, that effectively, could not be

12 done.

13 Q   Well, I'm not asking whether it could be

14 done, really. I'm asking whether you ran any

15 benchmarks, did any evaluations after the fact to look

16 at the Public Television stations you included within

17 your study to assess whether they were representative

18 of the stations with distant signal Public Television

19 viewing.

20 A   No, we would -- did not. And I would not

21 even know what criteria to use in order to make that

22 judgment.

23 MR. HESTER: Now, Madam Chairman, I can

24 push on. I will take direction from you as to what

25 you want me to do.

1   CHAIRMAN DAUB: How much more do you have

2 to go?

3   MR. HESTER: Well, I will not be able to

4 finish in 15 minutes. I hope I will be able to finish

5 in an hour tomorrow.

6   CHAIRMAN DAUB: You have about an hour to

7 go?

8   MR. HESTER: That's a guess. I will try to

9 look at it tonight and see if I can shorten it.

10   CHAIRMAN DAUB: Mr. Campanelli?

11   MR. CAMPANELLI: Very little, Madam

12 Chairman.

13   CHAIRMAN DAUB: Well, with regard to Mr.

14 Larson's appearance, we have decided that we would

15 like to have him here in person.   Perhaps, Mr.

16 Garrett, I would propose that we finish this line of

17 cross with Mr. Hester as well as Devotional with Mr.

18 Campanelli or the other counsel, then put Mr. Larson

19 on.

20   Of course, by doing it that way, we would

21 not have an exact time as to when Mr. Larson should be

22 here. But if you're talking an hour and I would

23 presume we should be done with the cross with all

24 parties by noon, in all fairness to Mr. Larson, rather

25 than having him sit here to watch the show, maybe we

1 would invite him at 1:30? I'm sorry. I'm addressing

2 this to Mr. Garrett.

3   MR. GARRETT: Well, that's certainly -- you

4 know, whatever the Tribunal prefers is fine with me.

5 I take it that means we won't finish with Dr. Besen

6 tomorrow?

7   CHAIRMAN DAUB: Such a big dilemma we have.

8   COMMISSIONER DAMICH: Unless you want to go

9 to 5:00, Mr. Hester, and finish today.

10   MR. HESTER: I'm happy to keep on going if

11 you want me to.

12   CHAIRMAN DAUB: I have no problem except we

13 have other concerns. Okay. It is the kind of

14 situation where --

15   MR. LANE: Could we just go off the record?

16   CHAIRMAN DAUB: Sure. Let's go off the

17 record.

18   (Whereupon, the foregoing matter went off

19   the record at 4:01 p.m. and went back on

20   the record at 4:30 p.m.)

21   CHAIRMAN DAUB: Would you go ahead and

22 proceed?

23   MR. HESTER: Yes, yes. During the break I

24 have handed to Mr. Lindstrom and to counsel and to the

25 Tribunal some pages that we have marked as PTV Exhibit

1   2-X.

2   (Whereupon, the

3   aforementioned document

4   was marked for

5   identification as Public

6   Television Exhibit

7   Number 2-X.)

8   BY MR. HESTER:

9   Q   Mr. Lindstrom, let me ask if you can

10   identify this. I can tell you these are extracts we

11   have taken from this large computer printout that we

12   received last night. Are these pages familiar to you?

13   A   Only in terms of what I looked through last

14   night. I did not receive copies of this type of

15   report.

16   Q   Well, are you familiar with the computer

17   printout that shows the amount of programming hours

18   for each of the stations included with the meter

19   sample?

20   A   Are you saying that this is printout of the

21   diary data that had been available through Larson, but

22   only for those stations that were included in the

23   meter sample? Is that what you're --

24   Q   No.

25   A   I guess the answer is that I don't have a

1   clue.

2   Q   Let me show you -- I didn't mark this whole

3   large thing as an exhibit. I've now handed you this

4   large bundle, which I can represent was delivered to

5   us last night by your counsel. Have you seen that

6   printout before?

7   A   And I am saying I have seen this printout

8   only in the course of doing the investigation that I

9   did in terms of answering the question from Mr.

10   Garrett, that, in fact, I do not, in fact, deal with

11   the data once it has gotten to this level.

12   Q   Okay. Could you just read into the record

13   what's on the first page of that printout, the title?

14   A   It says "1990 Phase I Programming During

15   Sweeps on Metered Stations."

16   Q   And do you understand what this printout

17   represents?

18   A   I understand what it represents, yes.

19   Q   Could you just briefly describe that for

20   the record?

21   A   It is a listing of programming and, I would

22   assume in this case, the quarter hours. I'm not sure

23   whether that's programmed or viewed to the programs

24   during each sweep.

25   Q   Well, it's certainly not the quarter hours

1   viewed, is it?   I mean, that's not something that

2   Nielsen has pulled together, is it, quarter hours

3   pulled together by station for the metered study?   I

4   thought that's what we've been discussing.

5   A   No.   I'm getting myself mixed up between

6   the two studies.   So I have to -- I've been worried

7   all along that the Tribunal would get confused, and

8   now I'm the one who's doing it.

9   Q   Does   this   reflect   the   programming

10   categorizations that were used in the meter study?

11   A   Again,   from   what   you're   saying,   I'm

12   assuming that that, in fact, is what this is.

13   MR. HESTER: Let me ask counsel.   Is that

14   what it is?   We received this last night from your

15   office, Dennis, but there wasn't any letter on it.

16   And I'm really just trying to find out what it is,

17   first of all.

18   MR. LANE: This is the list of the number

19   of hours by category, and I think it had -- my

20   recollection of the total thing was it had individual

21   programs with the number of hours for each program on

22   a station and then like all these Series, Movies, and

23   Specials were in one grouping, Sports was in another,

24   the different categories.

25   But, to tell you the truth, I looked at it

1   about as long as Mr. Lindstrom when we were looking

2   for something else. So I'm really not that much more

3   conversant than he is on this.

4   MR. HESTER: Okay. We'll --

5   THE WITNESS: So I guess the point is that

6   I'm unfamiliar with what it is that you're showing me

7   here, although I can probably -- so I can't answer

8   questions specifically on it, but if you ask, I can

9   determine whether or not it's something that would

10   fall within my area of knowledge.

11   MR. HESTER: Well, okay.

12   BY MR. HESTER:

13   Q   I take it you are the only witness who is

14   purporting to testify on the meter study. Is that

15   right?

16   A   That is correct.

17   Q   For the record, what I have done in Exhibit

18   2-X is to pull out some pages from this big, thick

19   printout. And I'm happy to have you look at the large

20   printout, Mr. Lindstrom, but I pulled out some pages

21   just so we could work with it a little bit.

22   I'll represent to you that these are some

23   pages I pulled out. I'll use the word advisedly. I

24   pulled them out randomly for you to be able to look at

25   the totals for some different stations included within

1   the sample.   I really have some questions for you

2   about the totals.

3   Am I correct, first of all, if we look at

4   the first page of Exhibit 2-X, the last line on the

5   page, where it says "Total Call Sign, KSTW," that

6   would reflect the total number of quarter hours for

7   this given station during the four months covered by

8   your meter study?

9   A   For each of them individually and in total.

10   Q   Right. So it shows --

11   MR. LANE: Excuse me. It's the non-network

12   programming.

13   MR. HESTER: Non-network programming. I'm

14   sorry.

15   BY MR. HESTER:

16   Q   My question for you is whether you can

17   explain the reasons why there's variability in the

18   total amount of programming hours shown for these

19   stations that were included within the sample.

20   Do you see that on the first page, for

21   instance, there's a total for February of 2,636? If

22   you turn to the next page, there's a total of 866;

23   next page, 925; next page, 2,640. Can you explain why

24   we're seeing this variability in the quarter hours of

25   programming?

1   A   Not without doing a little bit of homework.

2   There are any number of reasons, in fact, why that

3   could be. Some of them could be network stations in

4   terms of eliminating non-network viewing, in which

5   case the numbers would be substantially less. Some

6   aren't going to program during the entire day.

7   You know, there's a variety of different

8   things that, in fact, could be occurring. As we had

9   suggested, there are, in fact, times when signals are

10   blacked out so that, effectively, they're not on the

11   air during those times because they're being protected

12   against.

13   So to go through in any given case, I have

14   no doubt that there are, in fact, rational reasons.

15   I just don't have a database in my head that would

16   allow me to do that.

17   MR. LANE: If I may make a comment, if you

18   look on the first page, right next to "KSTW," the

19   letter "I" appears. I know from the Larson printouts

20   that that means independent.

21   And then if you look on the second page,

22   right next to the call sign "KYTV," you'll see "N,"

23   and then, actually, you'll see next to it -- I believe

24   this is accurate. N is a network. The second "N"

25   that appears there means NBC.

So, just comparing the first two pages, where on the first page you have a number like 2,600, that's because all of the programming on independent stations is non-network.

When you go to a network affiliate station, which is on the second page, you would, again just for February, get a number like 866. That's because a much smaller proportion of the total amount of programming is non-network on affiliates.

So I'm not saying there aren't other reasons that Mr. Lindstrom has explained, but I think the biggest variations, probably where you're going to see a number like 2,600, I will bet in every case without looking through this, in every case you're going to see an "I" up in that top left-hand corner.

BY MR. HESTER:

Q   If you look to the --

MR. LANE: You might also see a "P." I didn't want to suggest that you wouldn't, just to clarify, because all of the Public Television stations, of course, are non-network programming under their definition.

MR. HESTER: Right.

BY MR. HESTER:

Q   If you look to the fifth page from the

1   back, Mr. Lindstrom, it's the numbered page up at the

2   right-hand corner. It's Page 105. This is for call

3   sign, I believe it is, KFOR in Oklahoma City. Do you

4   see that page?

5   A   Yes, I do.

6   Q   And you see for February it lists zero

7   quarter hours. Can you explain that one?

8   A   Once again, I don't have anything in my

9   head in terms of a database to be able to go off from

10   individual stations.   There's clearly too much

11   information there to be able to do it.

12   But I think it's entirely possible that

13   there was a call letter change. I know that that has,

14   in fact, happened with some of the stations.

15   Q   Now, if I can direct you to Page 6 of your

16   written testimony. The bottom paragraph is where you

17   discuss the total number of minutes that were included

18   for a given household. Do you see that?

19   A   That's correct.

20   Q   And am I right that that kind of analysis

21   you've set forth there isn't really accurate if you

22   have a station that doesn't have programming 24 hours

23   a day on it?

24   A   It is really used for example purposes more

25   than anything, the -- what is shown on Page 6, but it

1   is true, as we have said before, if somebody is not on

2   the air, that, in fact, it is not time when they can

3   be viewed.

4   There are question marks as to when ratings

5   are calculated, whether you calculated ratings for the

6   time when something is only on the air or whether you

7   average in the zero viewing when they're not on the

8   air.

9   And things are done both ways in the

10 television business. So I couldn't say fundamentally

11 it's not so, but it is, in fact, true that you should

12 not get viewing when you're not on the air.

13   Q   And would you agree that it also affects

14 the randomness of the sample when you have different

15 stations that are showing programming for different

16 amounts of time during the month, that that could be

17 on the randomness of your sample?

18   A   It couldn't bear on the randomness of the

19 sample because the sample is random. It could have

20 a bearing in terms of how that sample fell out if that

21 was a characteristic that was examined.

22   Q   It would bear on the conclusions you would

23 draw from the viewing data that you develop out of

24 that sample, couldn't it?

25   A   It's a factor I would keep in mind in most

1   cases when stations are off the air, it's during

2   periods of time when people aren't viewing anyway. So

3   I don't know how substantial that is, but it is, in

4   fact, a factor which I can't say is -- you know, it's

5   a factor that, you know, should be considered along

6   with everything else.

7   Q   And you haven't taken that into account in

8   what's written up in your testimony, have you?

9   A   It, in fact, has no bearing in the way that

10   we would produce the study.

11   Q   But it bears, doesn't it, on the ultimate

12   conclusions about error rates and the like?

13   A   No.   Again, not on error rates.   It is

14   simply a factor that if -- and it's a big "if" because

15   we have no idea -- that if there were more part-time

16   stations than, in fact, is in the PBS distant

17   universe, it, in fact, would have to be a fairly

18   substantial number to have any real impact on the

19   overall PBS figures.

20   Q   I wasn't just asking about PBS.

21   A   But for anyone.   I mean, you would have to

22   have major shifts in viewing to change those numbers.

23   That's why the large sample sizes are particularly

24   good.

25   I would concede that, in fact, if you're

not on the air, the same way. You can't get viewing,

and it is likely that there could be somewhat more or

somewhat less, depending on whether you had more

full-time or part-time stations.

But the reality of whether or not that

would, for all practical purposes, make a difference

is probably no.

Q   You haven't studied that, have you?

A   But I have not studied it.

Q   Now, as long as --

A   I only know the math involved in how that

would work, but I don't know the specifics of the

situation you're describing.

Q   As long as we're on Page 6, where you show

this spread for car registrations, do you see that?

A   Yeah.

Q   That's based on all of the viewers in your

peoplemeter households, isn't it? It's not limited to

cable households, is it?

A   No, it is not.

Q   Have you ever done any other kinds of

similar comparisons or illustrations that have worked

out less favorably than this one by car registrations?

In other words, have you tried to develop some other

nice examples and have them not work out so well as

1 this one?

2   A   Generally speaking, this is taken from kind

3 of a traditional PR piece. I think the real gist of

4 the matter is that, in fact, our clients are working

5 virtually every day with our data, which is out there

6 for everyone to see in terms of percentage

7 distributions of the people in it, the income in it,

8 the education of the people in it, and all kinds of

9 characteristics.

10   And anyone who has gotten any complaints

11 about them would certainly voice them. I mean, it is

12 a marketplace-driven factor. So I would -- you know,

13 I would say that the key, for all intents and

14 purposes, is really not what we do, but the fact that

15 hundreds, if not thousands, of clients are constantly

16 doing that kind of stuff to keep us on our toes is

17 really what the key factor is.

18   Q   And when they're keeping you on your toes,

19 they're not working with precisely the data you worked

20 with here, are they?

21   A   Not in this particular case. This is just

22 one example of some data which we had that we could

23 make the comparison to. They are generally looking

24 at, as I said, factors like men 18 to 49 in households

25 with 50,000-plus income or some sort of relatively

1   small break along those types of lines that they would

2   be particularly interested in.

3   Q   Do you have clients that are buying cable

4   only in your NTI study or do you generally have

5   clients that are buying studies based on the

6   peoplemeter households as a unit across the country?

7   A   The majority of NHI's clients are strictly

8   cable. I mean, our peoplemeter-based clients are

9   primarily the various ad-supported cable networks, the

10   CNNs, ESPNs, MTVs of the world.

11   And there's approximately 30 of them now

12   that are receiving data on an ongoing basis, for which

13   some are getting very small coverages. I believe the

14   smallest at this point in time is, for instance,

15   Cartoon Network, which is only available in maybe

16   three million homes.

17   And each of them are checking their sample

18   very carefully and are particularly interested because

19   cable tends to be a much more targeted medium for the

20   delivery.

21   Q   But you're talking there about cable

22   networks that are buying your data?

23   A   Yes, I am. I am saying that they are very

24   interested in making sure that, in fact, the

25   peoplemeter sample is in line with the U.S.

1   populations in their key target areas.

2   Q   You didn't mention cable systems buying

3   your data.

4   A   Cable systems are going to be getting a

5   different type of data. They would not be -- they

6   would not be buying peoplemeter data for the most

7   part.

8   Q   And why is that?

9   A   The sample sizes are too small within any

10   given system.

11   Q   And they're also not selling the

12   advertising time that would be reflected in the

13   peoplemeter data, are they?

14   A   They sell a lot of advertising time. A

15   typical cable system can have over a quarter million

16   spots a year that they have available to sell. They

17   just are in need of using different methodologies

18   because, in fact, they have a very limited subscriber

19   base.

20   Some, in fact, do use meters that are large

21   enough, but it, in fact, is the exception, rather than

22   the rule.

23   Q   Mr. Lindstrom, would you agree that the

24   meter population is not a random sample? And when I

25   say "meter population," I mean households with

1   peoplemeters are not a random sample.

2   A   No, I wouldn't agree with that.

3   Q   What about the refusals to participate by

4   households? Doesn't that make it a non-random sample?

5   A   But then it's -- technically speaking,

6   there are two ways of looking at that.   And there

7   certainly are a number of people who, in fact, do not

8   cooperate with the peoplemeter study.

9   Q   And so you would agree that the NTI report

10   is not a perfect probability sample?

11   A   There is virtually no such thing as a

12   perfect probability sample.

13   Q   But I'm interested in the NTI report

14   specifically.   The NTI sample is not a perfect

15   probability sample?

16   A   As I said, NTI, like all other research.

17   It is virtually impossible to get a 100 percent

18   cooperation rate.

19   Q   And you also have problems when people are

20   on vacation during the sweep months; isn't that right,

21   and another thing that can affect the randomness of

22   the sample?

23   A   Not at all. It's a random reflection, and

24   it will reflect that people go on vacation during

25   those months and won't watch television.

1   Q   Sorry. How about when televisions are on

2 the blink? Is that something that you consider to

3 affect the randomness of your sample?

4   A   No because, again, nationally televisions

5 go on the blink as well.

6   Q   How about when people have unlisted phone

7 numbers and won't participate because they don't want

8 to be called?

9   A   For the metered study, again, listed or

10 unlisted makes no difference. We, in fact, go to

11 great steps to bring unlisted numbers into the diary

12 sample as well, but for the metered households, again,

13 keep in mind we map out the locations of the home and

14 then select it based on the mapping.

15   And we send people in to them. So it does

16 not matter, in fact, whether they have a listed phone

17 number or not because we go knocking on their front

18 door in person to recruit them.

19   Q   But there are times when people still won't

20 participate, even when you knock on their door; right?

21   A   That is correct.

22   Q   Are you aware that there are some

23 measurement problems with meters in terms of the

24 validity of the data that you gather?

25   A   It's a pretty broad question. I would, as

1   a researcher, say that there are issues with any type

2   of research that is done. And I would say, in fact,

3   that meters are no exception.

4   Q   What are some of the measurement problems

5   that arise with meters?

6   A   There are the same types of issues as you

7   have raised. It is impossible in most research to get

8   100 percent cooperation. Meters are no exception.

9   There are standard issues along those types of lines.

10   Q   What others aside from noncooperation?

11   A   It is difficult to start running down a

12   laundry list in my head. I mean, most of them become

13   -- you know, you are going to have things like

14   somebody is going to have their kid pour a bottle of

15   soda on the meter and blow is out, in which case

16   they're out of the sample for a couple of days until

17   we can get somebody in to replace them.

18   There are things along those types of

19   lines. Somebody will go and vacuum and unplug it. I

20   mean, there are human errors that are likely to occur

21   any time that you're dealing with people. And they

22   will, in fact, crop up.

23   Q   What happens when a TV is left on and

24   nobody is in the room? That counts as viewing,

25   doesn't it, with a meter?

1   A   We are measuring household tuning in the

2   technical sense. And, in fact, it is still credited

3   if the TV is turned on within a household, whether or

4   not somebody is in the room and viewing.

5   I would say that that's not a problem with

6   the meter. I mean, that is a question of definition.

7   Q   But you are picking up some amount of

8   viewing when a TV is left on in a room and nobody is

9   watching it?

10   A   That is correct.

11   Q   And you also have instances where somebody

12   might have the TV on while they're cooking dinner and

13   they're not really watching the TV. The TV is on in

14   the same room. You're going to be picking up that

15   viewing?

16   A   That's correct, but everybody wants us to,

17   too. The question becomes a qualitative one on

18   whether or not an advertisement reached somebody. And

19   most people feel that, in fact, if you can hear it,

20   you are exposed to it.

21   Q   But I take it there's no way from the

22   metered data to capture whether somebody is actually

23   watching a program carefully with interest as compared

24   to whether they have it on as background? There's no

25   way to tell from the metered data, is there?

1   A   That is correct.

2   Q   Would you agree that this phenomenon we

3 discussed where the meter will record viewing when a

4 TV is left on in a room, even if nobody is there, that

5 will tend to favor the more heavily viewed stations

6 because it's more likely that the heavily viewed

7 station is the one to which the set is tuned when

8 somebody leaves the room?

9   A   The answer to that is what you said is

10 absolutely correct, but what you have to remember is

11 that that will happen in direct relationship to the

12 amount of viewing that goes to a given programming

13 source.

14   So that one would suspect that if 5 percent

15 of the time or 10 percent of the time that the TV set

16 is tuned in, it's tuned to an independent, then you

17 would suspect that 10 percent of the time when

18 somebody gets up and leaves the room, it's tuned to an

19 independent.

20   And, therefore, the net result is no change

21 in the distribution.

22   Q   Have you ever studied that?

23   A   I have not. I could not, in fact, give a

24 definitive answer on that.

25   Q   Have you ever seen any data or studies as

1   to whether meters systematically under-represent

2   certain types of programming?

3   A   In general, most people look to the meter

4   because they feel that other forms of methodology

5   under or overstate specific types of programming.

6   And, more than anything, the meter tends to be the

7   golden rule by which things are measured.

8   Q   What other kinds of recording are you

9   talking about that may under-represent certain

10   categories of programming? Diaries?

11   A   Diary methodologies will tend to understate

12   independents in relation to network programs, I mean,

13   as one example, and cable networks in relation to them

14   as well.

15   Q   Would you agree that diaries also tend to

16   understate Public Television?

17   A   I haven't seen the statistics on that. I

18   could believe that they might or might not, for a

19   variety of reasons.

20   Q   Why would you believe that they might?

21   A   Inherent in any diary is the fact that

22   people are going to fill it out. And to some extent,

23   there is going to be a -- that, if anything, you could

24   make the case that, in fact, people might be more

25   likely to mark in PBS entries than they would

1   professional wrestling. I can't --

2   COMMISSIONER GOODMAN: A lot of people

3   can't spell professional wrestling, but watch it?

4   People who watch PBS can spell that?

5   THE WITNESS: It's a lot easier. PBS. I

6   can get that one. And I don't have anything

7   definitive that could give you exact numbers, but I

8   would say overall PBS would probably be understated

9   relative to the networks, but, in fact, might not have

10   quite the same decreases as one might see with

11   independents or cable networks.

12   BY MR. HESTER:

13   Q   And you say understated in a diary

14   reporting system?

15   A   In a diary reporting system, yes.

16   Q   What happens if you have two televisions in

17   a household? I take it that that's recorded twice in

18   the meters? In other words, if two people are

19   watching a program for an hour on two different

20   television sets, that would be recorded as two hours

21   of viewing for that household?

22   A   As long as they were two different

23   programs.

24   Q   What if it's the same program?

25   A   It would count as only one hour.

1   MR. HESTER: Those are all the questions.

2   CHAIRMAN DAUB: Thank you, Mr. Hester.

3   MR. HESTER: Thank you. Thank you, Mr.

4   Lindstrom.

5   CHAIRMAN DAUB: I don't mean to take up

6   time by my questions, but I must ask this question.

7   This PTV Exhibit 2-X that was given by counsel for the

8   Program Suppliers to you. It was put together by

9   Cable Data or by Nielsen?

10   THE WITNESS: It was put together by Cable

11 Data.

12   CHAIRMAN DAUB: Was your result of the

13 survey which appears at Page 10 of your written

14 testimony -- did any of your result that appears on

15 Page 10 come from this stack that Mr. Hester put on

16 your table there?

17   THE WITNESS: I'm not sure what's the best

18 way to answer that because we are supplying

19 information to Mr. Larson, who is summarizing it in

20 various forms. So that, in fact, this is not -- I

21 mean, we supplied a bunch of information to him that

22 was in a more raw form. He is taking it and crunching

23 it and spitting out a report.

24   We are both working off the same basic

25 information, but we, in fact, did not receive that

1   data from Mr. Larson. I mean, he is in this case

2   completely separate from the process.

3   CHAIRMAN DAUB: Perhaps we could ask Mr.

4   Larson when he appears here tomorrow because I'm

5   having a great deal of trouble -- maybe it's just

6   simply my ignorance, my understanding of this

7   particular report --

8   MR. LANE: Madam Chairman, if I may, the

9   way that I believe this occurred was Mr. Larson

10   received a computer tape from the Nielsen company

11   which the computer tape included all of the names of

12   the programs from the 180 stations that came to these

13   results on Page 10.

14   This simply -- I shouldn't say "simply"

15   since it's so many pages -- in several hundred pages

16   divides those programs into the program categories

17   that Mr. Lindstrom testified to and I think are shown

18   on Page 8 of his testimony.

19   So that you'll see, for example, "Program

20   Type," it says, "4. Movies." That would correspond

21   to the same program type Movies, which I can't find

22   very quickly here.

23   So that's what happened here, but this does

24   not show any viewing numbers for the reasons that have

25   been explained at length here. This is just simply

1   the number of quarter hours of Movies by program and

2   then by station and each of the other categories.

3   THE WITNESS: And this big listing gives

4   each of the programs. So that, in effect, -- and,

5   again, it is Tom's summarization of our data -- it

6   tells which programs went into which buckets for each

7   station within the sample.

8   CHAIRMAN DAUB: Help me here. If you turn,

9   for instance, to Page 51 of PTV Exhibit 2-X, it's

10   about halfway, it says Station KWOP --

11   MR. LANE: KCOP.

12   CHAIRMAN DAUB: KCOP?

13   MR. LANE: Right.

14   CHAIRMAN DAUB: Los Angeles. And it's an

15   independent station.

16   MR. LANE: Well, I think --

17   CHAIRMAN DAUB: You look at February, May,

18   July, November sweeps, all along. You've got Movies

19   only.

20   MR. LANE: No. I think the problem is that

21   you've got an incomplete --

22   CHAIRMAN DAUB: Is that what it is?

23   MR. LANE: Right.

24   CHAIRMAN DAUB: Okay.

25   THE WITNESS: And this is just one page.

1   MR. LANE: I don't fault Mr. Hester, but

2   I'm just saying --

3   CHAIRMAN DAUB: Okay. All right.

4   MR. LANE: I assume if I look at Page 49 in

5   this exhibit and 50, yes, exactly. If I start at 48

6   here, you will see that there are all the different

7   program types for KCOP.

8   CHAIRMAN DAUB: Okay.

9   MR. LANE: So he only gave you one page of

10   a station. And I think that reoccurred.

11   CHAIRMAN DAUB: Okay. Thank you. I

12   appreciate it.

13   MR. LANE: And I assume he did that because

14   it would be so bulky to give you this many stations.

15   MR. HESTER: I would be happy to give you

16   a few samples of the whole printout if that's useful.

17   CHAIRMAN DAUB: Okay. That wouldn't be

18   necessary. I just wanted to clarify.

19   MR. LANE: So I think in Exhibit 2-X, you

20   never have a complete station's listing. Is that?

21   MR. HESTER: Yes. What I was focusing on

22   was really the different totals for different

23   stations, the different total number of hours. And so

24   what I copied were -- these are some sample pages that

25   have the totals for a given station.

1　　　　　MR. LANE: In other words, he only copied

2　the last page of the station.

3　　　　　CHAIRMAN DAUB: Okay.

4　　　　　MR. LANE: And so you're always getting the

5　last page.

6　　　　　CHAIRMAN DAUB: Okay.

7　　　　　MR. LANE: In some cases you might get more

8　or less of the complete story.

9　　　　　CHAIRMAN DAUB: Okay. Well, Mr. Lane, you

10　should be glad that I asked the question because I

11　would have just said, "My gosh" if this is the way it

12　was.

13　　　　　Sorry about taking that time. Thank you,

14　Mr. Hester.

15　　　　　Mr. Campanelli?

16　　　　　MR. CAMPANELLI: Hello, Mr. Lindstrom. I'm

17　Richard Campanelli for the Devotional Claimants.

18　　　　　THE WITNESS: How are you doing?

19　　　　　MR. CAMPANELLI: I'll just be very quick.

20　　　　　　　　　　CROSS-EXAMINATION

21　　　　　BY MR. CAMPANELLI:

22　　　　　Q   Just following up on some questions that

23　were just asked about differences in a household,

24　let's say you take a household where there are two TVs

25　and an adult is watching one television and a child is

watching another television at the same time.

And let's say there's a meter right down the street in another house. And there another adult is watching television. He's watching a Sports show.

So you have down the street there's one adult watching a Sports show. And in this other house, there is one adult watching, let's say, a Devotional program, just to take an example, and a child is watching a cartoon show. And let's say all of those shows are running the same length of time.

Now, those viewing hours will be computed and weighted in a meter study, and they'll all come out with the same weight, won't they?

A   That is correct.

Q   However the weight for those shows or other similar shows at the same time in the same market are computed, they will all have equal value? One viewing hour will have exactly the same value as any other viewing hour in that area. Is that correct?

A   That is correct.

Q   So there's no allocation or allotment or variation made for differences that may occur in the value of any of those shows and the actual decision to describe to cable, is there?

A   There is not. We are strictly reporting on

1   the behavior itself.

2   Q   Right. And so you mentioned, I think, that

3   the peoplemeter survey, particularly, measures really

4   household viewing, but that's all it does.   And

5   there's no difference whatsoever as far as the impact

6   on cable subscriptions generally in the survey, is

7   there?

8   A   There is no direct -- no. Again, we are

9   strictly measuring the viewing behavior.

10   Q   And that's true for meter surveys. Is that

11   also true for diary surveys?

12   A   That is true for diaries as well.

13   MR. CAMPANELLI: Okay.   I have no more

14   questions.

15   CHAIRMAN DAUB: Thank you, Mr. Campanelli.

16   I have one quick question. On Page 10 of

17   your written testimony, why is it that the Devotionals

18   have a smaller relative error factor than, say, PBS?

19   THE WITNESS: I think it comes about for a

20   couple of different reasons.   There are two big

21   factors that will impact the relative errors here, one

22   of which is the number of households which viewed some

23   of that program type on a distant cable basis.

24   In fact, the number of homes that viewed

25   some Devotional programming was 1,201. So there is a

1   substantially higher base of people who watch some

2   portion of it.

3   And I would attribute that to the fact that

4   there are Devotional programs on many of the largest

5   of the distributed networks. TBS, and GN or OR, I

6   believe, all carry Devotional programming. So that

7   there is the potential for a much wider reach than the

8   lesser carried PBS stations.

9   There is also another factor that will play

10   into relative error that will have to do with the

11   variation in the responses, meaning it is likely that

12   with a lot of the Devotional programs that you're

13   looking at individual program blocks where somebody

14   may go in and, in fact, watch the program. And, you

15   know, they have certain Devotional programs they watch

16   or others they don't. They're different religions or

17   whatever the factors might be.

18   With PBS, because you're looking at what

19   amounts to a 24-hour bucket, you're going to have

20   potentially wide variations in terms of the number of

21   hours that people will view. Some will view an hour.

22   Some will view five hours. Some will view however

23   many hours.

24   But those are the two things that will end

25   up playing in: the number of people who, in fact,

1   will do some form of the viewing; and the second, the

2   actual variation in the program length. And the

3   reason for that is the more variation, the greater the

4   likelihood that you, in fact, might pick a flukey one.

5   So if everybody watched an hour, there is

6   no variation in the viewing. And you, in fact, would

7   have no relative error. Once you get to a point of

8   saying, "Well, some people watch" and everybody

9   watches an hour, then you either have an hour or zero.

10   And you will tend to have very low relative

11   error and so on out as you get to a point of saying

12   "Some people don't watch at all, and some people might

13   watch six hours a day." You can have a wide variation

14   in terms of the people who fall into your sample.

15   I'm not sure if that answered it, but I

16   think that it is, again, a function of the number of

17   homes that had some viewing and the variation that

18   would have occurred in the duration of the viewing

19   that they, in fact, did.

20   CHAIRMAN DAUB: Thank you. Very good.

21   Mr. Campanelli, thank you.

22   Mr. Lane, you're on for redirect.

23   MR. LANE: Thank you.

24   REDIRECT EXAMINATION

25   BY MR. LANE:

1 Q Do you recall during some questioning by

2 Commissioner Goodman that you indicated you wanted to

3 illustrate something?

4 A Yes. And there's one point I just would

5 like to stress again if I could take a second. I'll

6 try and do it very quickly. It sometimes helps to

7 have --

8 CHAIRMAN DAUB: I'm not sure Mr. Garrett

9 would like you to use that.

10 THE WITNESS: I'll sign it.

11 And what I'll do is, again, just give you

12 an exaggerated example. Let's think about a very

13 small minority group. I'm not sure what that might

14 be, Eskimos or something, which could be one percent

15 or less of the population.

16 We'll go in here and we'll say we have this

17 population of Eskimos that equals one percent. But if

18 we go out and we decide that we're going to do a

19 survey -- and let's think about it in terms of a very

20 small sample size in order to help illustrate what's

21 going on here.

22 If we say that we're going to do a sample

23 size that has 10 homes, what you would expect -- I

24 mean, there are two results that can occur with this

25 -- that you go through and you have your 10 people and

1   you go through and you find them.

2   And the answer is that the odds are one of

3   them is going to be an Eskimo or none of them are

4   going to be an Eskimo, in which case what you would

5   find is that if you were to go in and look at the

6   individual data here, you can turn around and say,

7   "Gee, you've either got 10 percent Eskimos," that, in

8   fact, there must be something that is, in fact, off

9   with this data or "You have none. Why are they

10   representative?"; where, in fact, what will happen, in

11   reality, is that when you aggregate these numbers, if

12   you were, in fact, to do 10 of these surveys and you

13   were to pick 10 of these groups out individually, that

14   what you would find is that, odds are, what you would

15   have is that 9 of them -- again, I'll put it this way

16   -- would have zero Eskimos and one of them would have

17   one, and the net result being that, well, either one

18   of these results would seem peculiar in and of itself.

19   And you either don't have any of this

20   little group or you have way too many. The net result

21   when you aggregate it is, in fact, that you would end

22   up with 100, and you would have your one who was

23   representative of what you would expect.

24   And I don't know if this helps in terms of

25   trying to lay it out, but I want to keep stressing

this idea that, in fact, this is very similar to what is occurring in the instances where we have stations which have very low numbers of subscribers that they're available to, that the very nature of it is that you would expect that in some cases, you're going to have way too much viewing to some of those stations because it kind of randomly occurs.

And in most of the others, you will, in fact, find that you'll have zero viewing. And by aggregating them up, they'll build up to a point where you'll get an accurate reflection of, in fact, what is a low percentage of viewing that is occurring.

And it is for that reason that I keep going back and being hesitant about saying, well, you know, if we produce individual station stuff that, in fact, goes too low in terms of the number of subs that are available to a station, I can virtually guarantee that you are going to have a bunch in which you're going to have 10 percent Eskimos and people are going to be sitting and saying, "Well, look at this. This, in fact, is ridiculous. That can't be."

But, in fact, it can and will be and is perfectly fine. And anyone who is comfortable with research and how it works in this fashion can understand that that's the possibility, but it is very

1   easy to get lost in that by, in fact, picking on the

2   individual pieces at a level that can't be justified.

3   And so all that I'm saying is trying to go

4   on record in saying that, you know, just to be aware

5   that even if we're producing data on some of the

6   larger ones, this is going to happen. And we fully

7   expect that it should, and it is absolutely acceptable

8   and is simply a matter of math.

9   But it's harder to visualize sometimes.

10   Particularly when you go down through, you have all of

11   these stations and none of them have viewing. Are you

12   going to tell me that none of those stations have

13   viewing? I mean, in the sample, yes. And that is the

14   way it should work.

15   BY MR. LANE:

16   Q   Now I'd like you to refer to what was

17   handed out this morning and is Sports Exhibit 5-X,

18   which is the list provided to Mr. Garrett, Movies,

19   Series, and Major Sports on selected stations.

20   A   I don't have it. Could you just wave it in

21   front of me?

22   Q   Yes.

23   A   That's the Larson printout.

24   Q   It's the Larson printout. I'm only asking

25   a question because I'm one of the copyright owners and

--

COMMISSIONER DAMICH: 5-X? 5-X?

MR. LANE: 5-X.

THE WITNESS: Thank you.

BY MR. LANE:

Q   I just want to focus in. You were asked some questions about whether certain programs, particularly something that was called a WGN prime movie, appeared. From this exhibit, can you tell anything about why or why not that program would appear?

A   No, you cannot.

Q   What would you need to determine whether the program appeared?

A   You would need a chrono listing for all of the programming that day or to at least know what was, in fact, listed as appearing in the time period that we're showing.

Q   And what would be some of the reasons, in your judgment, that there might not be something called WGN prime movie appearing at 1900 hours or thereabouts on that date?

MR. GARRETT: Madam Chairman, let me just point out that I had asked the witness these very questions when he was on the stand before so that I

1   could understand what the explanations were --

2   CHAIRMAN DAUB: Can you get him, Mary?

3   THE REPORTER: Barely.

4   MR. GARRETT: -- so that I could understand

5   what the explanations were and then to cross-examine

6   him concerning those explanations. And at that point

7   he had no idea. When Mr. Lane does this in redirect

8   examination, I have no opportunity to go through and

9   pursue those very points with him.

10   And it was my understanding that this was

11   the very reason that we were to get together this

12   evening, to figure out, not to speculate as to why I

13   got different data from both of their consultants, but

14   to explain what the problems were and so that we could

15   come back to the Tribunal and explain it.

16   I consider this line of questioning on

17   redirect examination unfair, and I'll object to it.

18   MR. LANE: Well, I would say that Mr.

19   Garrett has an improper recollection of the

20   questioning. The questioning ended with him leaving

21   the impression that there was an omission and it

22   couldn't be explained for any reason.

23   He did not give Mr. Lindstrom the chance,

24   in my judgment, to explain it. And that's perfectly

25   fair for me to ask on redirect.

1   CHAIRMAN DAUB: The objection is overruled.

2   BY MR. LANE:

3   Q   You may answer the question.

4   A   I've forgotten the question. Oh, okay.

5   The answer is twofold, and I'll just make it fairly

6   brief. As I said before, I, in fact, have no idea, in

7   fact, how Mr. Larson compiled these listings. And,

8   therefore, it is difficult to come up with an

9   explanation as to exactly why things are.

10   Without having the missing pieces and time

11   periods, it's difficult to say what could have

12   happened. I would only comment -- and I won't go on

13   and speculate in any great order, but just saying that

14   there are any number of things that could occur,

15   primarily having to do -- or the explanation is

16   primarily having to do with program names and the way

17   that programs are listed.

18   It is possible for just one example, and

19   I'll cite that. And then I suppose we can move on.

20   I have no idea that this could have occurred. So this

21   is simply out of the blue, saying that programs like

22   "Star Trek: The Next Generation" might very well have

23   a two-hour premier, which could be swatted in and

24   officially listed for program listings with Nielsen as

25   being a WGN prime movie, but, in fact, when Mr. Larson

1   goes into do it, that, in fact, he classifies it as

2   Syndicated Series.

3   There could be any number of things. And,

4   again, I would have to say, as I said to Mr. Garrett,

5   on this case I am not in a position of being able to

6   answer for CDC or Mr. Larson other than to say there

7   are potential reasons that need to be looked at on the

8   specific time periods in question.

9   MR. LANE: Those are all the questions I

10   have on redirect.

11   CHAIRMAN DAUB: Thank you, Mr. Lane.

12   Mr. Lindstrom, were you able to contact

13   your statisticians?

14   THE WITNESS: I was able to get in touch

15   with the production people, but I don't have a

16   definitive answer, the reason being that it was, I

17   think, approximately 4:00 o'clock when I was able to

18   reach them.

19   Their answer -- and this was Jean Watson,

20   who is responsible for the production of the report --

21   was that if she is the one who has to do all of it,

22   including both pieces in the additional stations, that

23   there is not any way that she could get it completed

24   within the two weeks.

25   It may be feasible if we can people who are

1   experienced enough with working with the MPAA data to

2   be able to run something in the neighborhood of about

3   10 stations and have it within the 2 weeks.

4   But I would have a difficult time until we

5   have looked through and tried to schedule people to

6   find out whether or not that could be possible. But

7   we --

8   COMMISSIONER DAMICH: You   mean   10

9   commercial, 3 noncommercial, and 3 --

10   THE WITNESS: I would say that we could --

11   she was talking about 10 total, but we could probably

12   -- I would suspect if we could do the 10, we could

13   probably do 10 and 3.

14   I mean, but, again, the answer on that is

15   that I wish that, in fact, I would tell you

16   definitively, but it's not a spot that I can answer

17   definitively.

18   I can say that we can, in fact, try to get

19   it, but, you know, again, with the qualifiers that

20   personally once you go outside of the stations that

21   have about 3 million subs that they are available to,

22   that you are going to be getting into this 10 percent

23   Eskimo situation.

24   And the users need to be aware of that,

25   which is why it is not the fundamental underlying data

that the listings that we used as the example before in terms of the time periods that go into those buckets are really the key. And from that, it can be ascertained whether or not things are miscategorized or whatever types of objections are likely to come up.

CHAIRMAN DAUB: Mr. Hester, you had a point?

MR. HESTER: That's fine. But we'll stand by eagerly, and we'll be suitably cautious about how the data should be used. I would like to make clear that we want the ability to choose the stations. There hasn't been any discussion of that explicitly.

THE WITNESS: Okay. If I could add one other qualifier? And that is -- and I have to -- and this is a big one -- is that also realize that each time we're talking about a month, we are, in fact, looking at a separate station, I mean, that when you're talking -- for all intents and purposes, we are having to run in order to generate data for 180 stations 4 times 180 that you're really looking at, close to 800 runs that go into that and the programming for it, that I would also put the restriction on that let them pick their stations again and pick the month for them as long as all 10 or 13 are within the same month, which I think should be a

1   reasonable agreement, and pick a month at random and

2   pick the stations however you feel like to be able to

3   generate that.

4   MR. HESTER: I had understood we were going

5   to get the year. I hadn't understood it was going to

6   be just one month.

7   THE REPORTER: Could you repeat that near

8   the microphone?

9   MR. HESTER: Yes. I had understood we were

10   getting one year of data.

11   THE WITNESS: That's why I'm qualifying it

12   and saying, in fact, be aware that in trying to look

13   at 10 or 13 stations, you're looking at 60 runs of an

14   extremely large database.

15   And just literally getting disk space to

16   run jobs of that kind is complicated. I mean, we're

17   not talking just manpower. We're talking about trying

18   to get computer space. These are exceedingly large

19   databases. I can't stress that enough.

20   And it's a little bit more complicated

21   because, in fact, stations that don't have much

22   viewing can be run fairly easily and don't take much

23   computer space, but that becomes less useful with the

24   information.

25   The stations like TBS, with great amounts

1   of viewing, to run four months of individual day data

2   is, again, a very large database and a very large

3   amount of information that goes into it.

4   So to me -- I grant the other parties were

5   thinking it might be a year, but saying in terms of

6   the feedback that I've gotten from my production

7   people realistically in terms of what could be done

8   within two weeks, that I would have to put the

9   restriction in terms of saying it's four weeks of data

10   for each of 10 to 13 stations, which still seems like

11   quite a bit to be able to take a look at any kind of

12   underlying information.

13   MR. HESTER: Well, I guess, at least

14   speaking on behalf of PBS, we'll take what we can get.

15   I will say we take it under protest. We don't think

16   this is adequate documentation, but we'll take what we

17   can get.

18   MR. LANE: I am unwilling to take something

19   under protest for the reason that we might as well

20   just fight it out now instead of waiting. For Nielsen

21   to spend the amount of time involved, what is the

22   point?

23   We're just going to have more motions later

24   because it's under protest. That's just unacceptable.

25   MR. HESTER: Well, let me clarify what I

1   mean when I say "under protest." It seems to me that

2   we still ought to be able to say later on that we have

3   not received adequate documentation to look behind

4   this meter study.

5   I'm not going to be coming back with a

6   further motion to compel. I will take what is now

7   being offered, and I won't be back with a further

8   motion to compel, but I don't think it was ever

9   contemplated that through this compromise, we were

10   giving up our right to argue that the Tribunal should

11   give less weight to the meter study because of various

12   failures to provide adequate underlying documentation.

13   Now, we may be right or we may be wrong,

14   but we ought to be able to make that argument. And

15   that's what I mean by "under protest." I will not

16   bring a further motion to compel.

17   MR. LANE: I think, Madam Chairman, if

18   that's the case, I can assure you we will not produce

19   the data because all it means is we're going to be

20   arguing weight, and we're arguing weight now. And

21   it's going to take a lot of time and a lot of effort.

22   And if we don't get it done within two

23   weeks, which there's a very high likelihood, I

24   believe, right now, there are going to be further

25   motions. And it's just not worth it to us. We might

1   as well just take our chance now.

2   COMMISSIONER GOODMAN: Take your chances?

3   What do you mean "take your chances"?

4   MR. LANE: They're arguing weight now, and

5   they're going to weight then. Yes. I mean, what's

6   the difference? They're arguing weight now.

7   COMMISSIONER GOODMAN: I suppose the

8   difference would be that you could counter that

9   argument by saying, "Wait a minute. Here's what we

10   did give you and" --

11   MR. LANE: I can counter that argument now.

12   COMMISSIONER DAMICH: Why don't we go off

13   the record?

14   (Whereupon, the foregoing matter went off

15   the record at 5:31 p.m. and went back on

16   the record at 5:40 p.m.)

17   CHAIRMAN DAUB: The meeting is adjourned.

18   We will return at 10:00 tomorrow morning.

19   (Whereupon, the foregoing matter was

20   recessed at 5:41 p.m., to be reconvened on

21   Friday, September 10, 1993 at 10:00 a.m.)

22

23

24

25

C E R T I F I C A T E

This is to certify that the foregoing transcript

in the matter of: 1990 CABLE COPYRIGHT ROYALTY
DISTRIBUTION PROCEEDING
DOCKET NO. CRT 92-1-90CD

Before: COPYRIGHT ROYALTY TRIBUNAL

Date: SEPTEMBER 9, 1993

Place: WASHINGTON, D.C.

represents the full and complete proceedings of the

aforementioned matter, as reported and reduced to type-

writing.

Phyllis Young
_____

Nielsen

July 23, 1993
Mr. Jim Portnoy
ARNOLD & PORTER
1200 New Hampshire Avenue N.W.
Washington, D.C.   20036

Mr. Portnoy,

Enclosed are the printed reports and household level data on 3.5"
DSHD diskettes you requested. These data are for the February 1990
period and diary sample homes.
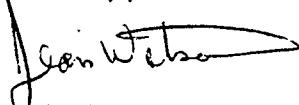
The report is the total number of distant cable diary households
that viewed each of the specified WGN programs during the average
quarter hour and the total number of distant cable diary households
that viewed each of the specified WGN programs.

The diskettes contain data for each distant cable diary household
on a date and quarter hour level. The information provided is
geographic location (state and county), the cable system name, and
the calendar date and quarter hour of each viewing event.

The data on the diskettes is provided in delimited ASCII format for
import into Lotus. A format for the ASCII files is enclosed.

If you have any questions, please contact me at X2133.

Sincerely,

Jean Watson
Project Director
National Custom Analysis

enclosure

cc: P.B. Lindstrom
        P.W. Croland

NIELSEN MEDIA RESEARCH

NUMBER OF HOUSEHOLDS PER PROGRAM
FEBRUARY 1990

WGN PROGRAM VIEWED	TOTAL HOUSEHOLDS	AVERAGE HOUSEHOLDS PER QHR	QUARTER HOURS AIRED
BULLS BKBL	827	105.561	41
GERALDO	1273	115.450	80
WGN PRIME MOV	1688	85.675	126
CHEERS	0	0	46
WKRP IN CINN	0	0	40

MPAA CUSTOM ANALYSIS FOR JOINT SPORTS CLAIMANTS
FORMAT OF HOUSEHOLD LEVEL DATA

POSITION	DESCRIPTION
2	14 CHARACTER NAME OF PROGRAM
18	6 DIGIT HOUSEHOLD NUMBER
26	DATE OF VIEWING (MM/DD/YY)
36	2 DIGIT QUARTER HOUR WHERE 01=6:00AM
40	2 CHARACTER STATE ABBREVIATION
44	13 CHARACTER COUNTY NAME
59	27 CHARACTER NAME OF MSO

NIELSEN MEDIA RESEARCH
FEBRUARY 1990
NUMBER OF HOUSEHOLDS PER PROGRAM

PROGRAM VIEWED	TOTAL HOUSEHOLDS	AVERAGE HOUSEHOLDS PER QHR	QUARTER HOURS AIRED	AVERAGE PROJ.
BULLS BKBL	827	105.561	41	287711
GERALDO	1273	115.450	80	282775
WGN PRIME MOV	1688	85.675	126	229502
CHEERS	0	0	46	0
WKRP IN CINN	0	0	40	0

NIELSEN MEDIA RESEARCH
MAY 1990
NUMBER OF HOUSEHOLDS PER PROGRAM

PROGRAM VIEWED	TOTAL HOUSEHOLDS	AVERAGE HOUSEHOLDS PER QHR	QUARTER HOURS AIRED	AVERAGE PROJ.
CUBS BSBL DAY	1593	185.387	75	473739
CUBS BSBL PRME	2884	209.979	142	553715
CUBS BSBL WKND	980	207.000	35	521358
CUBS BSBL WKN1	344	189.455	11	477064
CUBS BSBL WKN2	381	191.182	11	466903
GERALDO	1266	111.650	80	289548
WGN PRIME MOV	1132	65.933	120	185234
CHEERS	0	0	70	0
WKRP IN CINN	0	0	38	0

NIELSEN MEDIA RESEARCH
JULY 1990
NUMBER OF HOUSEHOLDS PER PROGRAM

PROGRAM VIEWED	TOTAL HOUSEHOLDS	AVERAGE HOUSEHOLDS PER QHR	QUARTER HOURS AIRED	AVERAGE PROJ.
CUBS BSBL DAY	1865	185.168	107	482321
CUBS BSBL PRME	3099	269.086	116	728394
CUBS BSBL WKND	1705	256.962	52	715082
GERALDO	1228	102.688	80	278106
WGN PRIME MOV	1345	131.382	68	364884
CHEERS	0	0	0	0
WKRP IN CINN	0	0	37	0

NIELSEN MEDIA RESEARCH
NOVEMBER 1990
NUMBER OF HOUSEHOLDS PER PROGRAM

PROGRAM VIEWED	TOTAL HOUSEHOLDS	AVERAGE HOUSEHOLDS PER QHR	QUARTER HOURS AIRED	AVERAGE PROJ.
BULLS BKBL	968	121.936	47	360645
GERALDO	1147	90.063	80	242514
WGN PRIME MOV	1849	87.985	137	248552
CHEERS	0	0	44	0
WKRP IN CINN	0	0	0	0

FEB 1990 WGN PRIME MOVIE UNIQUE DATES

07-Sep-93

VIEWING DATE:	2/1/90
VIEWING DATE:	2/2/90
VIEWING DATE:	2/9/90
VIEWING DATE:	2/12/90
VIEWING DATE:	2/15/90
VIEWING DATE:	2/18/90
VIEWING DATE:	2/22/90
VIEWING DATE:	2/25/90
VIEWING DATE:	2/26/90

VIEWING DATE: 04/27/90

VIEWING DATE: 04/28/90

VIEWING DATE: 05/06/90

VIEWING DATE: 05/12/90

VIEWING DATE: 05/16/90

VIEWING DATE: 05/19/90

JULY 1990 WGN PRIME MOV UNIQUE DATES

07-Sep-93

VIEWING DATE: 07/16/90

VIEWING DATE: 07/17/90

VIEWING DATE: 07/21/90

VIEWING DATE: 07/22/90

VIEWING DATE: 07/28/90

VIEWING DATE: 08/04/90

VIEWING DATE: 08/05/90

NOV 1990 WGN PRIME MOV UNIQUE DATES

07-Sep-93

VIEWING DATE:	11/4/90
VIEWING DATE:	11/5/90
VIEWING DATE:	11/8/90
VIEWING DATE:	11/15/90
VIEWING DATE:	11/16/90
VIEWING DATE:	11/18/90
VIEWING DATE:	11/19/90
VIEWING DATE:	11/22/90
VIEWING DATE:	11/23/90
VIEWING DATE:	11/26/90

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        WGN   Prog. Type: * * MOVIES * *

                                                                                    AVERAGE
        DATE   TIME Mins TITLE   HHVH

        02/01/90 00:30   60 GHOST GOES WILD   0
        02/01/90 23:30   120 MERRILL'S MARAUDERS   91,819
        02/02/90 19:00   90 AFFAIR IN RENO   0
        02/02/90 20:30   60 MAN FROM THE RIO GRANDE   0
        02/02/90 23:30   150 ACTION IN THE NORTH ATLANTIC   61,589
        02/03/90 12:10   60 AFFAIRS OF GERALDINE   0
        02/03/90 13:00   60 MY BEST GAL   0
        02/03/90 14:00   120 TAHITI HONEY   0
        02/03/90 16:00   120 CLOAK AND DAGGER   300,116
        02/03/90 22:30   120 CAHILL, UNITED STATES MARSHAL   295,478
        02/04/90 11:00   120 CASABLANCA   391,119
        02/04/90 13:00   60 FLIGHT AT MIDNIGHT   0
        02/04/90 14:00   60 HELL ON WHEELS   0
        02/04/90 15:00   120 TIME MACHINE, THE   326,220
        02/04/90 17:00   60 RED MENACE, THE   0
        02/04/90 18:00   60 MURDER IN THE MUSIC HALL   0
        02/04/90 19:00   120 FIGHTING CHANCE, THE   0
        02/04/90 23:30   60 SING, NEIGHBOR, SING   0
        02/05/90 00:30   60 ROMANCE AND RHYTHM   0
        02/05/90 19:00   120 FAST TIMES AT RIDGEMONT HIGH   270,745
        02/05/90 23:30   150 RAGING BULL   22,245
        02/06/90 19:00   120 ANIMAL HOUSE   280,478
        02/06/90 23:30   60 DESTINATION BIG HOUSE   0
        02/07/90 00:30   60 DESPERATE ADVENTURE, A   0
        02/07/90 23:30   60 ICE CAPADES   0
        02/08/90 00:30   90 HAVANA ROSE   0
        02/08/90 23:30   60 DEAD OR ALIVE   0
        02/09/90 00:30   60 MARKED FOR MURDER   0
        02/09/90 19:00   120 AMERICAN NINJA   451,622
        02/09/90 23:30   90 SEVEN GUNS TO MESA   0
        02/10/90 01:00   60 BORDERTOWN TRAIL   0
        02/10/90 12:00   60 COVERED WAGON DAYS   0
        02/10/90 13:00   60 PISTOL PACKIN' MAMA   0
        02/10/90 14:00   120 HARDLY WORKING   145,180
        02/10/90 16:00   120 KENNY ROGERS AS THE GAMBLER PART I   286,536
        02/10/90 22:30   150 HORSE SOLDIERS, THE   244,891
        02/11/90 11:00   120 ON THE WATERFRONT   153,318
        02/11/90 13:00   60 WICKED CITY, THE   0
        02/11/90 14:00   60 JUVENILE JUNGLE   0
        02/11/90 15:00   120 ADVENTURES OF ROBIN HOOD, THE   367,932
        02/11/90 17:00   180 BRIDGE ON THE RIVER KWAI, THE   316,810
        02/11/90 23:30   120 KEY WEST   62,682
        02/12/90 23:30   120 BIG BAD MAMA   46,564
        02/13/90 19:00   120 PSYCHO III   107,950
        02/13/90 23:30   150 VALACHI PAPERS, THE   47,636
        02/14/90 23:30   60 ENEMY OF THE LAW   0
        02/15/90 00:30   60 WHISPERING SKULL, THE   0
        02/15/90 19:00   150 BLADE RUNNER   430,597
        02/15/90 23:30   150 BONNIE AND CLYDE   86,587
        02/16/90 19:00   60 HOME ON THE RANGE   0
        02/16/90 20:00   60 PRIDE OF THE PLAINS   0

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WGN   Prog. Type: * * MOVIES * *

DATE	TIME	Mins	TITLE	AVERAGE HHVH
02/16/90	23:30	120	FORCED VENGEANCE	146,100
02/17/90	12:00	120	POCKET MONEY	141,087
02/17/90	14:00	60	COUNTY FAIR	0
02/17/90	15:00	60	DAREDEVILS OF THE CLOUDS	0
02/17/90	16:00	120	PHANTOM COWBOY, THE	0
02/17/90	22:30	150	BLADE RUNNER	193,780
02/18/90	11:00	120	SEA WOLF, THE	107,552
02/18/90	13:00	90	WONDER WOMAN	132,429
02/18/90	14:30	90	BADLANDS OF MONTANA	0
02/18/90	16:00	60	MEXICANA	0
02/18/90	17:00	120	FABULOUS SENORITA, THE	0
02/18/90	19:00	120	THREE OUTLAWS, THE	0
02/18/90	23:30	120	HUNTERS, THE	109,424
02/19/90	19:00	120	SIXTEEN CANDLES	350,135
02/19/90	23:30	60	ROSE OF THE YUKON	0
02/20/90	00:30	60	YUKON VENGEANCE	0
02/20/90	19:00	120	RELAX, FREDDIE	0
02/20/90	23:30	60	NO ROOM AT THE INN	0
02/21/90	00:30	60	STRANGE ADVENTURE, A	0
02/21/90	23:30	60	KING OF THE GAMBLERS	0
02/22/90	00:30	90	PIONEER MARSHAL	0
02/22/90	19:00	120	ENFORCER, THE	610,172
02/22/90	23:30	120	TEN TO MIDNIGHT	131,309
02/23/90	19:00	120	BREWSTER'S MILLIONS	442,433
02/23/90	23:30	60	OUTLAWS OF SANTA FE	0
02/24/90	00:30	60	STAGECOACH EXPRESS	0
02/24/90	12:00	60	CALIFORNIA FIREBRAND	0
02/24/90	13:00	60	LAW OF THE GOLDEN WEST	0
02/24/90	14:00	120	SWORD AND THE SORCERER, THE	227,800
02/24/90	16:00	60	FURY IN PARADISE	0
02/24/90	17:00	60	MYSTERY BROADCAST	0
02/24/90	22:30	60	NIGHT TRAIN TO MEMPHIS	0
02/24/90	23:30	60	THUNDERING JETS	0
02/25/90	11:00	120	HIGH SIERRA	185,302
02/25/90	13:00	90	BLUE KNIGHT, THE	237,222
02/25/90	14:30	150	SEA HAWK	328,364
02/25/90	17:00	120	BUTCH CASSIDY AND THE SUNDANCE KID	469,968
02/25/90	19:00	120	BELLE LE GRAND	0
02/25/90	23:30	60	WILD FRONTIER, THE	0
02/26/90	00:30	60	DESPERADOES OF DODGE CITY	0
02/26/90	19:00	120	MASK	326,679
02/26/90	23:30	120	LITTLE SEX, A	43,005
02/27/90	23:30	120	CASABLANCA	128,845
02/28/90	23:30	120	AMERICAN NINJA	90,687
04/26/90	23:30	120	NIGHT OF THE CREEPS	0
04/27/90	19:00	120	AIRPLANE	0
04/28/90	00:30	90	PRIVATE SCHOOL	42,033
04/28/90	12:00	60	GREEN BUDDHA	0
04/28/90	13:00	60	AMAZON QUEST	0
04/28/90	14:00	120	OTHER SIDE OF THE MOUNTAIN, THE-PART 2	142,266
04/28/90	16:00	60	MONEY TO BURN	0

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WGN   Prog. Type: * * MOVIES * *

DATE	TIME	Mins	TITLE	AVERAGE HHVH
04/28/93	17:30	60	HOMICIDE FOR THREE	0
04/29/90	10:00	120	PEACEMAKER, THE	0
04/29/90	12:00	60	FUGITIVE FROM SONORA	0
04/29/93	17:00	60	PHANTOM COWBOY, THE	0
04/29/90	18:00	60	OUTLAWS OF SANTA FE	0
04/29/90	19:00	60	SEVEN GUNS TO MESA	0
04/29/90	20:00	60	STAGECOACH EXPRESS	0
04/29/90	23:30	150	CAINE MUTINY, THE	86,187
04/30/90	19:00	120	PEGGY SUE GOT MARRIED	0
04/30/90	23:30	120	USED CARS	55,379
05/01/90	19:00	120	VOYAGE OF TERROR: THE ACHILLE LAURO	238,208
05/02/90	00:30	90	OCTAGON, THE	80,593
05/02/90	19:00	120	VOYAGE OF TERROR: THE ACHILLE LAURO	296,302
05/02/90	23:30	120	ANATOMY OF A SEDUCTION	34,580
05/03/90	19:00	120	MURPHY'S LAW	378,074
05/03/90	23:30	120	AMERICAN WEREWOLF IN LONDON, AN	65,086
05/04/90	23:30	60	PRIDE OF MARYLAND	14,485
05/05/90	20:30	90	TOURNAMENT TEMPO	0
05/05/90	22:30	120	NIGHTHAWKS	230,148
05/06/90	10:00	60	COVERED WAGON DAYS	0
05/06/90	11:00	90	THREE OUTLAWS, THE	0
05/06/90	17:00	120	EDUCATING RITA	124,936
05/06/90	19:00	120	BATTERIES NOT INCLUDED	0
05/06/90	23:30	150	ARSENIC AND OLD LACE	95,627
05/07/90	23:30	90	HEADLINE HUNTERS	0
05/08/90	01:00	60	BEHIND THE NEWS	0
05/08/90	19:00	60	MY BEST GAL	0
05/08/90	20:00	60	PISTOL PACKIN' MAMA	0
05/08/90	23:30	60	MISSILE TO THE MOON	0
05/09/90	00:30	60	JUVENILE JUNGLE	0
05/09/90	19:00	60	MISSING WOMEN	0
05/09/90	20:00	60	NO MAN'S WOMAN	0
05/09/90	23:30	120	VOYAGE OF TERROR: THE ACHILLE LAURO	30,537
05/10/90	19:00	60	PRISONERS IN PETTICOATS	0
05/10/90	20:00	60	G.I. WAR BRIDES	0
05/10/90	23:30	120	VOYAGE OF TERROR: THE ACHILLE LAURO	67,491
05/11/90	23:30	120	VALLEY GIRL	52,963
05/12/90	12:00	150	ELECTRIC HORSEMAN, THE	202,084
05/12/90	14:30	90	SECURITY RISK	0
05/12/90	16:00	90	AFFAIR IN RENO	32,219
05/12/90	22:30	150	WALKING TALL	175,141
05/13/90	10:00	120	CHEYENNE SOCIAL CLUB, THE	301,799
05/13/90	18:00	180	OUTLAW JOSEY WALES, THE	498,660
05/13/90	23:30	150	CALL ME MADAM	66,224
05/14/90	23:30	60	PORT OF FORTY THIEVES	9,157
05/15/90	00:30	60	MADONNA OF THE DESERT	0
05/15/90	23:30	120	LAST HARD MEN, THE	39,380
05/16/90	19:00	120	SUPERMAN IV: THE QUEST FOR PEACE	346,454
05/17/90	11:15	60	STRANGE ADVENTURE, A	0
05/17/90	13:30	90	LAST CROOKED MILE, THE	0
05/17/90	23:30	60	CROSS CHANNEL	0

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         WGN   Prog. Type: * * MOVIES * *

                                                                                      AVERAGE
     DATE   TIME Mins TITLE   HHVH

  05/18/90 00:30   60 CROOKED CIRCLE   0
  05/18/90 23:30   60 TOPEKA TERROR   12,429
  05/19/90 00:30   60 SOUTH PACIFIC TRAIL   0
  05/19/90 12:00   120 LOVE AT FIRST BITE   188,833
  05/19/90 14:00   120 ICE PIRATES, THE   294,668
  05/19/90 16:00   120 SMOKEY AND THE BANDIT II   429,294
  05/19/90 22:30   180 OUTLAW JOSEY WALES, THE   305,269
  05/20/90 10:00   60 IN OLD AMARILLO   0
  05/20/90 11:00   90 PALS OF THE GOLDEN WEST   0
  05/20/90 18:30   90 PANAMA SAL   0
  05/20/90 19:30   90 FORBIDDEN HEAVEN   0
  05/20/90 23:30   60 MOONLIGHT MASQUERADE   0
  05/21/90 00:30   90 SWINGIN' ON A RAINBOW   0
  05/21/90 23:30   120 CONAN THE DESTROYER   85,535
  05/22/90 23:30   90 TRIAL WITHOUT JURY   0
  05/23/90 01:00   60 WAYWARD GIRL, THE   0
  05/23/90 19:00   120 DEATH WISH 4   567,039
  05/23/90 23:30   120 NEXT MAN, THE   54,678
  07/12/90 23:30   60 DAUGHTER OF THE JUNGLE   13,767
  07/13/90 00:30   60 BOY FROM INDIANA   0
  07/13/90 19:00   150 JAWS   613,281
  07/13/90 23:30   120 FIRESTARTER   146,290
  07/14/90 12:00   150 COAL MINER'S DAUGHTER   405,611
  07/14/90 19:00   150 JAWS 2   455,007
  07/14/90 22:30   120 ASSAULT FORCE   183,035
  07/15/90 10:00   150 LIFE AND TIMES OF JUDGE ROY BEAN   315,146
  07/15/90 17:00   120 BEASTMASTER   340,225
  07/15/90 19:00   60 CAMPUS HONEYMOON   0
  07/15/90 20:00   60 CASANOVA IN BURLESQUE   0
  07/15/90 23:30   60 ALIAS THE CHAMP   0
  07/16/90 00:30   60 GREEN BUDDHA   0
  07/16/90 23:30   90 FABULOUS SENORITA, THE   0
  07/17/90 01:00   60 UNMASKED   0
  07/17/90 23:30   150 BONNIE AND CLYDE   68,817
  07/18/90 19:00   60 FUGITIVE FROM SONORA   0
  07/18/90 20:00   60 ARIZONA MANHUNT   0
  07/18/90 23:30   150 ONLY GAME IN TOWN, THE   53,196
  07/19/90 19:00   120 CAT PEOPLE   270,082
  07/19/90 23:30   60 MYSTERIOUS MR. VALENTINE   0
  07/20/90 00:30   60 CITADEL OF CRIME   0
  07/20/90 23:30   150 MCCABE AND MRS. MILLER   68,036
  07/21/90 12:00   60 STAGECOACH EXPRESS   0
  07/21/90 13:00   60 SEVEN GUNS TO MESA   0
  07/21/90 14:00   120 ALICE DOESN'T LIVE HERE ANYMORE   189,395
  07/21/90 16:00   120 AGATHA CHRISTIE'S MURDER WITH MIRRORS   282,115
  07/21/90 23:30   120 FIRST BLOOD   0
  07/22/90 13:00   60 VANISHING WESTERNER, THE   0
  07/22/90 14:00   60 UNDERCOVER WOMAN   0
  07/22/90 17:00   60 GIRL IN ROOM 13   0
  07/22/90 18:00   60 GANGS OF THE CITY   0
  07/22/90 19:00   120 FRENCH CONNECTION, THE   299,128

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WGN Prog. Type: * * MOVIES * *

				AVERAGE
DATE	TIME	Mins	TITLE	HHVH
07/22/90	23:30	120	BARFLY	78,450
07/23/90	23:30	120	DRESSED TO KILL	85,114
07/24/90	23:30	120	SEDUCTION, THE	94,709
07/25/90	19:00	120	STICK	374,236
07/25/90	23:30	120	REAR VIEW MIRROR	107,389
07/26/90	23:30	60	UNDER MEXICALI STARS	15,255
07/27/90	00:30	60	THUNDERING TRAILS	0
07/27/90	23:30	60	SON OF GOD'S COUNTRY	0
07/28/90	00:30	60	BEYOND THE LAST FRONTIER	0
07/28/90	12:00	120	GIRL NAMED SOONER, A	272,577
07/28/90	14:00	60	MAIN STREET KID, THE	0
07/28/90	15:00	60	PARDON MY STRIPES	0
07/28/90	16:00	120	FINE GOLD	90,106
07/28/90	22:30	180	PAPILLON	215,324
07/29/90	13:00	120	CONDOR, EL	157,886
07/29/90	16:30	60	PISTOL PACKIN' MAMA	0
07/29/90	17:30	60	NIGHT TRAIN TO MEMPHIS	0
07/29/90	18:30	150	LEGAL EAGLES	345,620
07/29/90	23:30	120	FINE GOLD	53,615
08/01/90	19:00	120	MISSING IN ACTION	364,921
08/02/90	19:00	120	FORCE OF ONE, A	408,170
08/04/90	12:00	120	DIRTY MARY CRAZY LARRY	148,749
08/04/90	14:00	120	HANKY PANKY	249,847
08/04/90	16:00	120	FOUR SEASONS	207,629
08/04/90	22:30	120	GAUNTLET, THE	18,688
08/05/90	17:00	150	BUTCH CASSIDY AND THE SUNDANCE KID	315,470
08/05/90	19:00	120	FLETCH	398,729
08/05/90	23:30	120	ICE CAPADES	0
08/06/90	23:30	120	BRADDOCK: MISSING IN ACTION III	31,610
08/07/90	23:30	60	KING OF THE GAMBLERS	7,709
08/08/90	00:30	60	MYSTERY BROADCAST	0
08/08/90	19:00	120	JAWS 3	373,675
08/08/90	23:30	120	BORDER, THE	54,865
11/01/90	19:00	150	MAGNUM FORCE	630,822
11/01/90	23:30	120	RED SUN	92,920
11/02/90	19:00	120	WEIRD SCIENCE	353,037
11/02/90	23:30	60	OUTCASTS OF THE TRAIL	0
11/03/90	00:30	60	CRIME, INC.	0
11/03/90	12:00	60	TOPEKA TERROR	0
11/03/90	13:00	60	JAZZ BALL	0
11/03/90	14:00	120	AMERICAN GRAFFITI	137,919
11/03/90	22:30	150	VON RYAN'S EXPRESS	164,502
11/04/90	11:00	120	ON THE WATERFRONT	117,738
11/04/90	13:00	120	IRRECONCILABLE DIFFERENCES	246,858
11/04/90	15:00	120	REMARKABLE MR. PENNYPACKER, THE	358,154
11/04/90	17:00	60	PHANTOM COWBOY, THE	0
11/04/90	18:00	60	FLIGHT AT MIDNIGHT	0
11/04/90	19:00	120	RISKY BUSINESS	229,078
11/04/90	23:30	150	ANY WHICH WAY YOU CAN	117,367
11/05/90	19:00	60	BAMBUTI	0
11/05/90	20:30	60	TRIAL WITHOUT JURY	0

WGN   Prog. Type: * * MOVIES * *

DATE	TIME	Mins	TITLE	AVERAGE HHVH
11/05/90	23:30	90	TROPICAL HEAT WAVE	0
11/06/90	01:00	60	DAUGHTER OF THE JUNGLE	0
11/06/90	19:00	120	PEACEMAKER, THE	0
11/06/90	23:30	150	MAGNUM FORCE	44,839
11/07/90	23:30	120	FORCE OF ONE, A	49,929
11/08/90	19:00	120	DESPERATE ONES, THE	0
11/08/90	23:30	60	PANAMA SAL	0
11/09/90	00:30	60	KILL OR BE KILLED	0
11/09/90	19:00	60	PALS OF THE GOLDEN WEST	0
11/09/90	20:00	90	STRANGER ON THE PROWL	0
11/09/90	23:30	60	EXPOSED	0
11/10/90	00:30	60	LIGHTNIN' IN THE FOREST	0
11/10/90	12:00	120	TIMERIDER	167,750
11/10/90	14:00	60	VIGILANTE HIDEOUT	0
11/10/90	15:00	60	DESTINATION BIG HOUSE	0
11/10/90	19:00	150	SUPERMAN III	328,883
11/10/90	22:30	90	SHAGGY	0
11/11/90	00:00	60	STRANGE MRS. CRANE	0
11/11/90	11:00	150	FROM HERE TO ETERNITY	230,770
11/11/90	13:30	90	TWENTY THOUSAND YEARS IN SING SING	82,249
11/11/90	15:00	60	VALLEY OF HUNTED MEN	0
11/11/90	16:00	60	SPANISH CAPE MYSTERY	0
11/11/90	17:00	60	IN OLD AMARILLO	0
11/11/90	18:00	60	MISSOURIANS, THE	0
11/11/90	19:00	60	BOWERY BOY	0
11/11/90	20:00	60	STREET BANDITS	0
11/11/90	23:30	90	TAHITI HONEY	0
11/12/90	01:00	60	PRIDE OF THE PLAINS	0
11/12/90	19:00	120	BIG CHILL, THE	339,545
11/12/90	23:30	120	BAD BOYS	73,736
11/13/90	19:00	120	JOHNNY ROCCO	0
11/13/90	23:30	120	FIREWALKER	55,199
11/14/90	19:00	120	BACHELOR'S DAUGHTERS, THE	0
11/14/90	23:30	120	RISKY BUSINESS	64,881
11/15/90	19:00	120	AMERICAN NINJA	306,781
11/15/90	23:30	60	SECRETS OF MONTE CARLO	0
11/16/90	00:30	60	SECURITY RISK	0
11/16/90	19:00	150	CLOSE ENCOUNTERS OF THE THIRD KIND	345,003
11/16/90	23:30	60	SHAMROCK HILL	0
11/17/90	00:30	60	SING, NEIGHBOR, SING	0
11/17/90	12:00	120	KID WITH THE 200 I.Q.	185,664
11/17/90	14:00	60	UNMASKED	0
11/17/90	15:00	60	SILVER CITY KID	0
11/17/90	23:30	60	BUCKAROO SHERIFF OF TEXAS	0
11/18/90	00:30	60	VANISHING WESTERNER, THE	2,587
11/18/90	11:00	60	ALIAS THE CHAMP	0
11/18/90	12:00	60	DEAD OR ALIVE	0
11/18/90	13:00	60	HIDDEN HOMICIDE	0
11/18/90	14:00	60	MILLION DOLLAR PURSUIT	0
11/18/90	15:00	120	MR. 880	90,147
11/18/90	17:00	60	GREEN BUDDHA	0

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WGN   Prog. Type: * * MOVIES * *

DATE	TIME	Mins	TITLE	AVERAGE HHVH
11/18/90	18:00	60	MONEY TO BURN	0
11/18/90	19:00	60	FLAME OF YOUTH	0
11/18/90	20:00	60	ARIZONA MANHUNT	0
11/18/90	23:30	60	HOME ON THE RANGE	0
11/19/90	00:30	60	LAST FRONTIER UPRISING	0
11/19/90	19:00	120	BREAKFAST CLUB	309,138
11/19/90	23:30	120	LAST AMERICAN VIRGIN, THE	42,296
11/20/90	19:00	120	BRADDOCK: MISSING IN ACTION III	271,718
11/20/90	23:30	150	GREYSTOKE: THE LEGEND OF TARZAN, LORD OF THE APES	61,879
11/21/90	23:30	150	CLOSE ENCOUNTERS OF THE THIRD KIND	83,461
11/22/90	19:00	120	DAY FOR THANKS ON WALTONS MOUNTAIN, A	268,854
11/22/90	23:30	60	PARDON MY STRIPES	0
11/23/90	00:30	90	THREE LITTLE SISTERS	4,129
11/23/90	19:00	150	STING, THE	459,432
11/23/90	23:30	120	BIG CHILL, THE	109,598
11/24/90	14:00	120	HOWARD THE DUCK	401,376
11/24/90	19:00	150	REAR WINDOW	432,094
11/24/90	22:30	120	BRADDOCK: MISSING IN ACTION III	248,821
11/25/90	11:00	60	PORT OF FORTY THIEVES	0
11/25/90	12:00	60	FURY IN PARADISE	0
11/25/90	13:00	90	BLUE KNIGHT	148,071
11/25/90	14:30	90	SENSATIONS OF 1945	0
11/25/90	16:00	60	HELL ON DEVIL'S ISLAND	0
11/25/90	17:00	60	THUNDERING JETS	0
11/25/90	18:00	60	BORDERTOWN TRAIL	0
11/25/90	19:00	120	MASTERS OF THE UNIVERSE	296,362
11/25/90	23:30	150	CHOIRBOYS, THE	84,118
11/26/90	19:00	120	MONEY PIT, THE	293,519
11/26/90	23:30	60	LAW OF THE GOLDEN WEST	0
11/27/90	00:30	60	CALIFORNIA FIREBRAND	0
11/27/90	19:00	120	STRIPES	271,142
11/27/90	23:30	120	ATTACK FORCE Z	61,390
11/29/90	23:30	120	STRIPES	79,750

WGN   Program Type: * * MOVIES * *   Subtotal

HOURS :   535.50   HHVH   68,215,645   Average HHVH   127,387
                                                       Average HHVH (Excl. Zeros)   209,250

Reference Supplement

1990-91

PLEASE RETURN TO: Allen R. Cooper
MPAA

NielsenTelevision Index

Nielsen

V. MINIMUM STANDARDS FOR REPORTING PROGRAM AUDIENCE ESTIMATES

A. MINIMUM AUDIENCE LEVELS

DAILIES & POCKETPIECE

Effective September 1987, the following rules apply to Daily and Pocketpiece Reports:

1. When a program or time period has a household or persons Average Audience below 0.1%, such rating is designated < < to indicate that it is below the minimum standard and to avoid the connotation of zero audience. When the total duration Average Audience is reported as < <, half-hour ratings are similarly designated.

2. When the estimated number of households or viewing persons of a given category is below 10,000, the symbol LT is used to indicate that the estimated audience is below the minimum standard and to avoid the connotation of zero audience.

   Household and persons audiences are tested for minimums independently; therefore, persons audiences may be reported although household audiences may not.

3. Whenever the estimated relative error † of a household or persons audience estimate is 25% or larger, the symbols below are placed next to the rating:

   V Relative Error 25-49%
   V Relative Error 50% or more

OTHER NTI REPORTS

The following applies to all other NTI printed reports:

1. When a program has a household Average Audience below 0.5% (in composite or in a market section), such rating is designated < < to indicate that it is below the minimum standard and to avoid the connotation of zero audience. When the composite household Average Audience is below 0.5%, no market section audience estimates are shown. When the total duration Average Audience (in composite or for a market section) is reported as < <, half-hour ratings are similarly designated. In all cases where household audience estimates are designated < <, persons audience estimates are omitted.

2. When the estimated number of viewing persons of a given category is below 50,000, the symbol LT is used to indicate that the estimated audience is below the reportable minimum and to avoid the connotation of zero audience.

3. Whenever the estimated relative error † of a household or persons audience estimate is 25% or larger, the symbols below are placed next to the rating:

   V Relative Error 25-49%
   V Relative Error 50% or more

   †Relative error: ratio of the sampling error of the reported audience at the one standard error level to the reported audience.

N.B.: Ratings are flagged on the basis of the unrounded audience levels which they represent. Therefore, the identical rounded rating (for a given age/sex category and market division) may be flagged for one program or time-period and be unflagged (or flagged to designate a different relative error range) for another program or time-period.

Audience estimates so designated are of marginal statistical significance and are reported as a convenience to report users who may wish to combine them with audience estimates for other household or persons categories, programs or measurement weeks, to yield a composite audience estimate whose relative error will be less than that of its parts.

When applied to an estimate of Viewers per 1000 Viewing Households (V/1000VH), the symbols V and V indicate that the persons audience estimate which is the numerator of the V/1000VH is estimated to have a relative error within the indicated 25-49% or 50+% range, but does not necessarily imply that the relative error of V/1000VH is of this magnitude.

The basis for denoting ratings with high relative error is such that these designations should be considered as guidelines rather than precise notations. The standards are updated annually and assume (1) that the NTI sample composition matches the estimated universe and (2) that the 4-week average day in-tab sample sizes are constant for the report year. The thresholds are based upon the standard error tables referenced in Section VI and published in the booklet entitled "NTI Standard Error Estimates." Users who require more exact measures of estimated sampling error may refer to this booklet.

B. MINIMUM IN-TAB HOUSEHOLDS

In addition to the minimum audience levels described above, minimum in-tab household and persons standards also govern the reporting of program audience estimates.

1. For a program to be included in a regular syndicated national report, it must have a national coverage of at least 30%.

2. Single telecast program audiences (e.g., one-time-only programs or "specials") by market sections must be based on a minimum of 145 in-tabs. In the event the in-tab sample falls below this level, audience estimates for that market section will not be shown.

3. Minimum in-tab standards for reporting market breaks based on multi-telecast averages are as follows (slightly different, unrounded in-tab standards are used in some NTI reporting systems):

Number of Telecasts	(1) Same Program	(2) Different Program
2	105	85
3	90	70
4	85	60
5	80	55
6	80	50
7	75	45
8	75	45
9	75	40
10 or more	75	40

Please note column (1), refers to averaging across the same program or halfhour within the same week or across different weeks. Because of higher correlations between telecasts of the same program, higher minimum sample sizes are required than for reporting averages of different programs (column (2)). Where a Special Analysis includes both the same programs and different programs, the "same program" minimums will apply if more than 50% of the telecasts are accounted for by a single program. If over 50% of the telecasts are for different programs, the standard shown in column (2), will apply.

For Special Analyses involving Cumulative Audience data, the following in-tab minimum household standards are applied.

Cume Audience Size	Minimum In-Tab Sample
20% or less	145 households
20.1 to 50%	80 households
50.1 or greater	60 households

The foregoing standard is designed to identify audience information not meeting Nielsen reporting standards. A client may request, for internal use, special analyses which do not meet this minimum reporting standard.

VI. STATISTICAL INTERPRETATION AND RELATED

A. SAMPLING ERROR

Since the audience estimates in NTI reports are based on a sample, they are subject to sampling error; the difference between the results obtained with a sample and the result that would be obtained by an attempted complete census of the sampling units in the frame, using the same care as the sample survey. Sampling error excludes errors not related to sampling.

The standard error estimates provided for NTI audience estimates provide a measure of the size of sampling error. The standard error can be used to estimate the probability of the magnitude of the difference between the sample result and a complete census.

For example:

> The chances are about 68 out of 100 that an estimate from a perfect probability sample would differ from a complete census of TV households from the same sampling frame by less than the standard error. The chances are about 95 out of 100 that the difference would be less than twice the standard error.

Standard error estimates take into account (1) size of audiences; (2) stratification of the sampling units used at the first stage of selection; (3) selection of more than one housing unit at various stages of selection; (4) averaging minutes, or telecasts, where applicable; (5) in-tab sample sizes; (6) the extent that persons of the reported category in the same households view specific programs simultaneously, and (7) use of ratio estimates.

It is impracticable to provide standard error estimates for each audience estimate. Therefore, general tables of standard error estimates or procedures for deriving standard error estimates are provided. See booklet entitled "NTI Standard Error Estimates." The standard error estimates are not precise standard errors for any specific audience estimate.

A standard error does not provide an estimate of the extent of non-sampling errors and, hence, it does not indicate, by itself, the accuracy of the audience estimates.

B. TREND DIFFERENCES

Report users comparing audience estimates of the same program or time periods from different measurement periods may find the following standard error formulas of interest:

An estimate of one standard error for the difference between two ratings:

$$SE_D = \sqrt{SE^2_A + SE^2_B - (2r)(SE_A)(SE_B)}$$

where:

SE_D = the estimate of one standard error for the difference between two ratings, each from a different measurement period, e.g., week, month, etc.

SE_A = the estimated standard error for the first rating

SE_B = the estimated standard error for the second rating

r = correlation coefficient of the two ratings.

$\quad = .41$

(SE$_A$) and (SE$_B$) can be obtained from the published standard error tables.

Example:

The ratings for a once-a-week program telecast during two weeks of a report interval with average day in-tab sample size of 3500 are:

Week 1:	18.3
Week 2:	20.1

(a) Obtain the standard error from the standard error table of the ratings report for each rating:

Week 1:	.54
Week 2:	.57

(b) Compute the standard error of difference:

$$= \sqrt{(.54)^2 + (.57)^2 - 2(.41)(.54)(.57)}$$

$$= .60$$

C. DIFFERENCES BETWEEN TWO PROGRAMS

Report users comparing household and persons audience estimates of two different programs from the same report may find the following standard error formulas of interest:

An estimate of one standard error for the difference between household ratings:

$$SE_D = \sqrt{SE^2_A + SE^2_B - (.1F)(SE_A)(SE_B)}$$

where SE_D = the estimate of one standard error for the difference between ratings for two different programs from the same report.

SE_A = the estimated standard error for the first program rating

SE_B = the estimated standard error for the second program rating

F = ratio of the number of weeks the first program was telecast at least once to the number of weeks the second program was telecast at least once. If F is greater than 1, use the reciprocal of the ratio.

Example: If the Total Women rating is 9.3 for a once-a-week program telecast 2 weeks and a 11.1 for a once-a-week program telecast 1 week, the estimated standard error of difference is:

$SE_A = .36$

$SE_B = .48$

$F = 2/1 = 2$. Since F is greater than 1 use reciprocal $F = .5$

$$SE_D = \sqrt{(.36)^2 + (.48)^2 - (.1)(.5)(.36)(.48)}$$

$SE_D = .59$

D. GROSS RATING POINTS

Estimates of standard errors of gross rating points can be derived from the following formula. In order to use the formula, it is necessary to have the distribution of viewing by frequency such as reported in the BCA report.

$$S.E.\ (GRP) = \sqrt{\frac{100\ T^2_iH_i - (\ T_iH_i)^2}{N}}$$

where T_i = the number of telecasts (minutes, messages) among households (persons) in frequency group i

H_i = percent of households (persons) accounted for by frequency group i

N = size of in-tab sample

$GRP = T_iH_i$

34

Example:

Frequency Group I	No. of Telecasts T_i Range	Assume*	H_i % of Households	T_iH_i	$T^2_iH_i$	N = 1710
1	1	1	15.3	15.3	15.30	
2	2	2	13.6	27.2	54.40	
3	3	3	9.5	28.5	85.50	
4	4- 5	4.5	13.6	61.2	275.40	
5	6- 8	7	8.6	60.2	421.40	
6	9-12	10.5	3.4	35.7	374.85	
7	13-16	14.5	2.0	29.0	420.50	
8	17+	20	0.6	12.0	240.00	
			66.6	= 269.1	= 1887.35	

*Use mid-point of range

$$GRP = 269.1$$

$$SE(GRP) = \sqrt{\frac{(100 \times 1887.35) - (269.1)^2}{1710}}$$

$$= 8.2$$

E. NON-SAMPLING ERRORS

Sampling errors apply — in a strict sense — only to a perfect probability sample. However, since the achieved sample is not a perfect probability sample, the data in NTI reports are subject to other qualifications than the statistical tolerances arising from the use of sampling. For example, the accuracy of the data may be affected by (1) quality of sampling materials and sampling techniques that yield the sample design; (2) inability to secure cooperation from all households in the pre-designated sample; (3) inability to obtain useable data from cooperating households; (4) the failure of some of the cooperating households to provide useable data; (5) matters of definition such as listening and/or viewing versus tuning; (6) accuracy of reporting by the household or individual; (7) techniques that permit inspection and rejection of faulty information from the sample, use of faulty data, quality of data processing, and production controls sometimes categorized as administrative accuracy safeguards. Therefore, non-sampling errors cannot be warranted to be absent.

PTV Exhibit 2-X

KSTW   I   11 TACOMA   WA

TITLE	FEB QHRS	MAY QHRS	JULY QHRS	NOV QHRS	TOTAL QHRS
PROGRAM-TYPE: 4 MOVIES					
MOVIES	818	788	754	704	3,064
Total MOVIES	818	788	754	704	3,064
PROGRAM-TYPE: 5 MAJOR SPORTS					
MAJOR LEAGUE BASEBALL	0	130	100	0	230
Total MAJOR SPORTS	0	130	100	0	230
PROGRAM-TYPE: 6 OTHER/UNKNOWN					
TO BE ANNOUNCED	0	4	2	0	6
Total OTHER/UNKNOWN	0	4	2	0	6
Total Callsign KSTW	2,636	2,636	2,632	2,640	10,544

1990 PHASE 1 PROGRAMMING DURING SWEEPS ON METERED STATIONS

KYTV   N N 03 SPRINGFIELD   MO

TITLE	FEB QHRS	MAY QHRS	JULY QHRS	NOV QHRS	TOTAL QHRS
PROGRAM-TYPE: 3 DEVOTIONAL SERIES					
DAY OF DISCOVERY	8	8	8	8	32
JIMMY SWAGGART	16	16	16	16	64
LARRY JONES	8	8	8	8	32
ORAL ROBERTS	8	8	8	8	32
Total DEVOTIONAL SERIES	40	40	40	40	160
PROGRAM-TYPE: 4 MOVIES					
MOVIES	48	118	88	56	310
Total MOVIES	48	118	88	56	310
PROGRAM-TYPE: 5 MAJOR SPORTS					
COLLEGE BASKETBALL	48	0	0	0	48
Total MAJOR SPORTS	48	0	0	0	48
Total Callsign KYTV	866	879	792	858	3,395

1990 PHASE 1 PROGRAMMING DURING SWEEPS ON METERED STATIONS

WBNG   N C 12 BINGHAMTON   NY

TITLE	FEB QHRS	MAY QHRS	JULY QHRS	NOV QHRS	TOTAL QHRS
PROGRAM-TYPE: 3 DEVOTIONAL SERIES					
DAY OF DISCOVERY		8	8	8	30
JACK VAN IMPE	6	6	8	4	24
WORLD TOMORROW	4	0	0	0	4
Total DEVOTIONAL SERIES	16	14	16	12	58
PROGRAM-TYPE: 4 MOVIES					
MOVIES	0	0	46	72	118
Total MOVIES	0	0	46	72	118
PROGRAM-TYPE: 6 OTHER/UNKNOWN					
THA	220	220	220	220	880
Total OTHER/UNKNOWN	220	220	220	220	880
Total Callsign WBNG	925	932	957	937	3,751

1990 PHASE 1 PROGRAMMING DURING SWEEPS ON METERED STATIONS

WGBS   I   57 PHILADELPHIA   PA

TITLE	FEB QHRS	MAY QHRS	JULY QHRS	NOV QHRS	TOTAL QHRS
PROGRAM-TYPE: 3 DEVOTIONAL SERIES					
A DAY TO CARE FOR THE CHILDREN	4	4	4	4	16
ON THE EDGE OF SURVIVAL	0	4	4	0	8
ONE MORE DAY	0	0	0	4	4
OTHER SIDE OF VICTORY	8	8	0	0	16
ROBERT TILTON	0	0	160	156	316
SUCCESS IN LIFE	0	108	0	0	108
SUCCESS 'N' LIFE	160	52	0	0	212
WORLD VISION	12	0	0	0	12
Total DEVOTIONAL SERIES	184	176	168	164	692
PROGRAM-TYPE: 4 MOVIES					
MOVIES	248	354	370	256	1,228
Total MOVIES	248	354	370	256	1,228
PROGRAM-TYPE: 5 MAJOR SPORTS					
COLLEGE BASKETBALL	56	0	0	0	56
NHL HOCKEY	48	0	0	84	132
Total MAJOR SPORTS	104	0	0	84	188
PROGRAM-TYPE: 6 OTHER/UNKNOWN					
TO BE ANNOUNCED	0	0	4	0	4
Total OTHER/UNKNOWN	0	0	4	0	4
Total Callsion WGBS	2,640	2,640	2,640	2,640	10,560

WGGB 40 SPRINGFIELD MA

TITLE	FEB QHRS	MAY QHRS	JULY QHRS	NOV QHRS	TOTAL QHRS
PROGRAM-TYPE: 5 MAJOR SPORTS					
MAJOR LEAGUE BASEBALL	0	40	40	0	80
Total MAJOR SPORTS		40	40	0	80
Total Callsign WGGB	842	916	888	882	3,528

1990 PHASE 1 PROGRAMMING DURING SWEEPS ON METERED STATIONS

KATV   N A   67 LITTLE ROCK   AR

TITLE	FEB QHRS	MAY QHRS	JULY QHRS	NOV QHRS	TOTAL QHRS
PROGRAM-TYPE: 4 MOVIES					
MOVIES	8	0	8	24	40
Total MOVIES	8	0	8	24	40
PROGRAM-TYPE: 5 MAJOR SPORTS					
COLLEGE BASKETBALL	96	0	0	0	96
COLLEGE FOOTBALL	0	0	0	48	48
Total MAJOR SPORTS	96	0	0	48	144
PROGRAM-TYPE: 6 OTHER/UNKNOWN					
TO BE ANNOUNCED	0	2	0	4	6
Total OTHER/UNKNOWN	0	2	0	4	6
Total Callsign KATV	1,166	1,130	1,058	1,350	4,704

RPT-KPCI

1990 PHASE 1 PROGRAMMING DURING SWEEPS ON METERED STATIONS

KPCI   TV C 12 BOISE   ID

TITLE	FEB QHRS	MAY QHRS	JULY QHRS	NOV QHRS	TOTAL QHRS
PROGRAM-TYPE: C OTHER/UNKNOWN					
TBA	224	224	224	224	896
Total OTHER/UNKNOWN	224	224	224	224	896
Total Callsign KPCI	1,053	1,022	1,032	1,030	4,137

1990 PHASE 1 PROGRAMMING DURING SWEEPS ON METERED STATIONS

KPHK   I   44 SAN FRANCISCO   CA

TITLE	FEB QHRS	MAY QHRS	JULY QHRS	NOV QHRS	TOTAL QHRS
PROGRAM-TYPE: 3 DEVOTIONAL SERIES					
A DAY TO CARE FOR THE CHILDREN	4	0	0	0	4
KENNETH COPELAND	16	16	16	16	64
LARRY JONES	8	8	8	8	32
Total DEVOTIONAL SERIES	28	24	24	24	100
PROGRAM-TYPE: 4 MOVIES					
MOVIES	940	968	922	1,056	3,886
Total MOVIES	940	968	922	1,056	3,886
PROGRAM-TYPE: 6 OTHER/UNKNOWN					
TO BE ANNOUNCED	146	0	0	0	146
Total OTHER/UNKNOWN	146	0	0	0	146
Total Callsign KPHK	2,688	2,688	2,688	2,688	10,752

               1291 PHASE 1 PROGRAMMING DURING SWEEPS ON METERED STATIONS

KBVO   I F 42 AUSTIN   TX

   TITLE   FEB   MAY   JULY   NOV   TOTAL
                                      QHRS   QHRS   QHRS   QHRS   QHRS

   PROGRAM-TYPE: 9 OTHER/UNKNOWN

   TBA   224   224   224   224   896

Total OTHER/UNKNOWN   224   224   224   224   896

Total Callsign KBVO   2,272   2,280   2,332   2,343   9,227

1990 PHASE 1 PROGRAMMING DURING SWEEPS ON METERED STATIONS

KCAL   I   09 LOS ANGELES   CA

TITLE	FEB QHRS	MAY QHRS	JULY QHRS	NOV QHRS	TOTAL QHRS
PROGRAM-TYPE: 6 OTHER/UNKNOWN					
TO BE ANNOUNCED	0	0	0	2	2
Total OTHER/UNKNOWN	0	0	0	2	2
Total Callsign KCAL	2,628	2,648	2,648	2,648	10,572

1993 PHASE 1 PROGRAMMING DURING SWEEPS ON METERED STATIONS

KCAU   N A 09 SIOUX CITY   IA

TITLE	FEB QHRS	MAY QHRS	JULY QHRS	NOV QHRS	TOTAL QHRS
PROGRAM-TYPE: 4 MOVIES					
MOVIES	32	42	32	28	134
Total MOVIES	32	42	32	28	134
PROGRAM-TYPE: 5 MAJOR SPORTS					
BIG 10 BASKETBALL	49	0	0	0	49
Total MAJOR SPORTS	49	0	0	0	49
PROGRAM-TYPE: 6 OTHER/UNKNOWN					
TBA	224	224	224	224	896
Total OTHER/UNKNOWN	224	224	224	224	896
Total Callsign KCAU	1,036	1,041	963	870	3,910

1990 PHASE 1 PROGRAMMING DURING SWEEPS ON METERED STATIONS

KCOP   I   13 LOS ANGELES   CA

TITLE	FEB QHRS	MAY QHRS	JULY QHRS	NOV QHRS	TOTAL QHRS
PROGRAM-TYPE: 4 MOVIES					
MOVIES	805	910	834	858	3,407
Total MOVIES	805	910	834	858	3,407
Total Callsign KCOP	2,615	2,638	2,648	2,646	10,547

1990 PHASE 1 PROGRAMMING DURING SWEEPS ON METERED STATIONS

KCRA   N N 03 SACRAMENTO   CA

TITLE	FEB QHRS	MAY QHRS	JULY QHRS	NOV QHRS	TOTAL QHRS
PROGRAM-TYPE: 4 MOVIES					
MOVIES	0	0	0	8	8
Total MOVIES	0	0	0	8	8
PROGRAM-TYPE: 5 MAJOR SPORTS					
MAJOR LEAGUE BASEBALL	0	96	92	0	188
Total MAJOR SPORTS	0	96	92	0	188
Total Callsign KCRA	1,356	1,438	1,444	1,434	5,672

KDFW   N C 04 DALLAS   TX

TITLE	FEB QHRS	MAY QHRS	JULY QHRS	NOV QHRS	TOTAL QHRS
PREVIEW: THE NEXT SEVEN DAYS	0	0	0	16	16
SOUL TRAIN	0	0	0	16	16
STAR SEARCH	0	0	0	16	16
TAXI	26	32	26	6	90
THIS IS THE NFL	0	0	0	8	8
THIS WEEK IN BASEBALL	0	6	8	0	14
WILL YOUR KIDS MAKE THE GRADE	0	0	4	0	4
Total SYNDICATED SERIES	326	326	344	438	1,434

PROGRAM-TYPE: 3 DEVOTIONAL SERIES

CROSSROADS					
ST. PAUL UNITED METHODIST CHURCH	22	24	24	24	94
	2	2	2	2	8
WORDS OF LIFE	4	4	4	4	16
Total DEVOTIONAL SERIES	28	30	30	30	118

PROGRAM-TYPE: 4 MOVIES

MOVIES	48	48	50	6	152
Total MOVIES	48	48	50	6	152

PROGRAM-TYPE: 6 OTHER/UNKNOWN

TO BE ANNOUNCED	0	0	2	6	8
Total OTHER/UNKNOWN	0	0	2	6	8
Total Callsign KDFW	792	798	847	874	3,311

1990 PHASE 1 PROGRAMMING DURING SWEEPS ON METERED STATIONS

KDTN   E   02 DENTON   TX

TITLE	FEB QHRS	MAY QHRS	JULY QHRS	NOV QHRS	TOTAL QHRS
TRULY AMERICAN	8	8	8	6	30
TWENTIETH CENTURY HISTORY	7	0	0	6	13
TWO DECADES AND A WAKE-UP	0	0	0	4	4
U.S. CONSTITUTION	0	28	0	0	28
UNDER THE BLUE UMBRELLA	4	3	0	3	10
UNDERSTANDING HUMAN BEHAVIOR	16	4	0	0	20
UNIVERSE AND I	8	0	0	6	14
UP CLOSE AND NATURAL	4	5	8	3	20
VINTAGE: A HISTORY OF WINE	0	8	0	0	8
VOICES & VISIONS	0	8	16	0	24
VOYAGE OF THE MIMI	12	5	8	6	31
WAITING FOR MANDELA	4	0	0	0	4
WALL STREET WEEK	2	0	0	0	2
WE THE PEOPLE	0	13	0	5	18
WELL, WELL, WELL WITH SLIM GOODBODY	4	6	7	3	20
WESTERN TRADITION	16	16	8	0	40
WHAT'S THE LIMIT?	2	0	0	0	2
WHERE THE SPIRIT LIVES	0	0	0	8	8
WIFE FROM MY ENEMIES	0	0	0	4	4
WONDERWORKS	0	12	0	0	12
WORDSCAPE	0	0	0	3	3
WORKS AND PROCESS II	0	0	8	0	8
WORLD OF IDEAS WITH BILL MOYERS	6	2	8	6	22
WRITE COURSE	16	4	0	16	36
WRITER'S REALM	4	3	0	3	10
YOU CAN MAKE MUSIC	0	0	0	2	2
YOUR LIVING BODY	0	10	0	0	10
ZARDIP'S SEARCH FOR HEALTHY WELLNESS	7	4	2	3	16

| Total EDUCATIONAL | 1,790 | 1,699 | 1,790 | 1,746 | 7,025 |

| Total Callsign KDTN | 1,790 | 1,699 | 1,790 | 1,746 | 7,025 |

KFOR   N N 04 OKLAHOMA CITY   OK

TITLE	FEB QHRS	MAY QHRS	JULY QHRS	NOV QHRS	TOTAL QHRS
MEGA MEMORY	0	0	2	0	2
MEMORIES... THEN AND NOW	0	0	0	6	6
NEW LASSIE	0	8	4	0	12
ON THE BEAM	0	16	16	12	44
PEPPERMINT PLACE	0	8	8	8	24
PERSONALITIES	0	0	0	40	40
QUIZ KIDS CHALLENGE	0	0	0	18	18
RACING'S NEW LEGENDS	0	0	2	0	2
SISKEL & EBERT	0	8	8	8	24
SPORTS EXPRESS	0	0	12	0	12
STAR TREK	0	36	24	28	88
STAR TREK: THE NEXT GENERATION	0	16	24	15	55
SYNCHRONAL RESEARCH	0	0	2	0	2
THE WEST	0	0	0	8	8
THIS IS THE NFL	0	0	0	8	8
TODAY'S FBI	0	0	16	16	32
U.S. FARM REPORT	0	8	8	8	24
UNIVITE	0	0	2	0	2
WAR OF THE WORLDS	0	16	16	0	32
WEEKEND TRAVEL UPDATE	0	0	0	12	12
WILD BILL HICKOK	0	0	18	16	34

| Total SYNDICATED SERIES | 0 | 492 | 876 | 861 | 2,229 |

PROGRAM-TYPE: 3 DEVOTIONAL SERIES

| KENNETH COPELAND | 0 | 16 | 0 | 0 | 16 |
| KENNETH COPELAND WEEKLY | 0 | 0 | 16 | 16 | 32 |

| Total DEVOTIONAL SERIES | 0 | 16 | 16 | 16 | 48 |

PROGRAM-TYPE: 4 MOVIES

| MOVIES | 0 | 8 | 0 | 0 | 8 |

| Total MOVIES | 0 | 8 | 0 | 0 | 8 |

| Total Callsign KFOR | 0 | 856 | 1,248 | 1,174 | 3,278 |

                    1990 PHASE 1 PROGRAMMING DURING SWEEPS ON METERED STATIONS

KFTY . I   50 SANTA ROSA   CA

TITLE	FEB QHRS	MAY QHRS	JULY QHRS	NOV QHRS	TOTAL QHRS
PROGRAM-TYPE: 4 MOVIES					
MOVIES	1,174	1,184	1,194	906	4,458
Total MOVIES	1,174	1,184	1,194	906	4,458
Total Callsign KFTY	2,608	2,608	2,608	2,600	10,424

KICU   I   36 SAN JOSE   CA

TITLE	FEB QHRS	MAY QHRS	JULY QHRS	NOV QHRS	TOTAL QHRS
PROGRAM-TYPE: 5 MAJOR SPORTS					
MAJOR LEAGUE BASEBALL	0	52	48	0	100
NBA BASKETBALL	52	0	0	32	84
Total MAJOR SPORTS	52	52	48	32	184
PROGRAM-TYPE: 6 OTHER/UNKNOWN					
TO BE ANNOUNCED	246	264	266	0	776
Total OTHER/UNKNOWN	246	264	266	0	776
Total Callsign KICU	2,688	2,688	2,688	2,688	10,752

1990 PHASE 1 PROGRAMMING DURING SWEEPS ON METERED STATIONS

KMTV   N C 03 OMAHA   NE

TITLE	FEB QHRS	MAY QHRS	JULY QHRS	NOV QHRS	TOTAL QHRS
PROGRAM-TYPE: 3 DEVOTIONAL SERIES					
A DAY TO CARE FOR THE CHILDREN					
BAHA'I FAITH		0	0	0	4
REAL TO REEL		2	0	0	2
ROBERT SCHULLER		0	0	4	4
WORLD TOMORROW	16	0	0	0	16
	14	0	0	0	14
Total DEVOTIONAL SERIES	34	2	0	4	40
PROGRAM-TYPE: 4 MOVIES					
MOVIES	0	0	16	0	16
Total MOVIES	0	0	16	0	16
PROGRAM-TYPE: 5 MAJOR SPORTS					
COLLEGE BASKETBALL	48	0	0	0	48
Total MAJOR SPORTS	48	0	0	0	48
PROGRAM-TYPE: 6 OTHER/UNKNOWN					
TO BE ANNOUNCED	0	24	6	6	36
Total OTHER/UNKNOWN	0	24	6	6	36
Total Callsign KMTV	887	822	850	776	3,335

1390 PHASE 1 PROGRAMMING DURING SWEEPS ON METERED STATIONS

KPBS   =   15   SAN DIEGO   CA

TITLE	FEB QHRS	MAY QHRS	JULY QHRS	NOV QHRS	TOTAL QHRS
THE LITTLE FOXES	0	8	0	0	8
THE WIZARD OF LONELINESS	16	0	0	0	16
THIS OLD HOUSE	16	16	16	16	64
THOMAS AND BEULAH	8	0	0	0	8
THOMAS HART BENTON	0	0	0	6	6
THRIVING ON CHAOS	0	0	20	0	20
THURGOOD MARSHALL: THE MAN	8	0	0	0	8
TONY BROWN'S JOURNAL	6	6	8	8	28
TRAVELIN' GOURMET	0	6	6	0	12
TREY ELLIS	4	0	0	0	4
TRYING TIMES	10	4	0	2	16
TWO DECADES AND A WAKE-UP	0	0	0	8	8
VICTORY GARDEN	16	16	16	14	62
WALL STREET WEEK	16	16	16	14	62
WASHINGTON WEEK IN REVIEW	8	8	8	8	32
WE DO THE WORK	0	8	0	4	4
WELCOME TO MY STUDIO	0	8	0	2	10
WILD AMERICA	8	8	14	8	38
WILD WOMEN DON'T HAVE THE BLUES	0	0	4	0	4
WIND IN THE WILLOWS	0	0	0	8	8
WIRED	32	15	0	0	47
WONDERWORKS	32	32	4	0	68
WOODWRIGHT'S SHOP	0	0	0	8	8
WORLD AT WAR	24	30	0	0	54
WORLD OF FESTIVALS	6	0	0	0	6
WORLD OF IDEAS WITH BILL MOYERS	8	6	8	8	30
YAN CAN COOK	0	0	4	8	12
YES MINISTER SPECIAL	0	0	4	0	4
YES, MINISTER	8	8	0	0	16
YES, PRIME MINISTER	0	0	6	6	12
ZOOBILEE ZOO	8	8	8	38	62

Total EDUCATIONAL   1,971   1,970   1,974   1,982   7,897

Total Callsign KPBS   1,971   1,970   1,974   1,982   7,897

MPAA METERED ANALYSIS
NAMES AND VIEWING EVALUATION

NAMES STATUS	CALL LETTERS	VWG STATUS	DMA	STATION CODE
	KAET	STATION HAS VWG OUTSIDE DMA	PHOENIX	.
NO NAMES DURING NON-SYNC	KATV	STATION HAS VWG OUTSIDE DMA	LITL RCK-PN BLF	.
	KBCI X	STATION HAS VWG OUTSIDE DMA	BOISE	.
NO NAMES DURING NON-SYNC	KBHK	STATION HAS VWG OUTSIDE DMA	SAN FRAN-OAK-SJ	.
NO NAMES DURING NON-SYNC	KBVO X	STATION HAS VWG OUTSIDE DMA	AUSTIN	.
	KBYU X	STATION HAS VWG OUTSIDE DMA	SALT LAKE CITY	.
NO NAMES DURING NON-SYNC	KCAL	STATION HAS VWG OUTSIDE DMA	LOS ANGELES	.
	KCAU X	STATION HAS VWG OUTSIDE DMA	SIOUX CITY	.
NO NAMES DURING NON-SYNC	KCET	STATION HAS VWG OUTSIDE DMA	LOS ANGELES	.
	KCIT X	— OK	Amarillo (FOX)	.
	KCOP	STATION HAS VWG OUTSIDE DMA	LOS ANGELES	.
	KCPQ X	STATION HAS VWG OUTSIDE DMA	SEATTLE-TACOMA	.
	KCRA	STATION HAS VWG OUTSIDE DMA	SACRMNTO-STK-MO	.
	KCSM X	STATION HAS VWG OUTSIDE DMA	SAN FRAN-OAK-SJ	.
	KCSO X	STATION HAS VWG OUTSIDE DMA	SACRMNTO-STK-MO	.
	KDFI X		Dallas (LIMESTONE, LOVE, MARSHALL OK CHOCTAW, MCCURTAIN, OK, CRAMP, CHEROKEE, 4 STATION MONTAGUE TX	.
	KDFW X	STATION HAS VWG OUTSIDE DMA	DALLAS-FT.WORTH	.
	KDNL X	STATION HAS VWG OUTSIDE DMA	ST. LOUIS	.
	KDTN X		Denton, TX (PBS)	.
NO NAMES DURING NON-SYNC	KEDT X	—	Corpus Christi, TX (PBS)	.
	KERA	STATION HAS VWG OUTSIDE DMA	DALLAS-FT.WORTH	.
	KETA X	STATION HAS VWG OUTSIDE DMA	OKLAHOMA CITY	.
	KFCB .	STATION HAS VWG OUTSIDE DMA	SAN FRAN-OAK-SJ	.
	KFOR X	STATION HAS VWG OUTSIDE DMA	OKLAHOMA CITY	.
	KFTY X		SANTA ROSA, CA (SAN-FRANCISCO)	.
	KGAN X	STATION HAS VWG OUTSIDE DMA	CDR RPS-WAT&DUB	.
	KGO	STATION HAS VWG OUTSIDE DMA	SAN FRAN-OAK-SJ	.
NO NAMES DURING NON-SYNC	KHET X		HONOLULU (PBS)	.
	KHQ X	STATION HAS VWG OUTSIDE DMA	SPOKANE	.
	KICU	STATION HAS VWG OUTSIDE DMA	SAN FRAN-OAK-SJ	.
	KITH X	STATION HAS VWG OUTSIDE DMA	MINEAPLS-ST. PL	.
NO NAMES DURING NON-SYNC	KLTV X	STATION HAS VWG OUTSIDE DMA	TYLER	.
	KMEX	STATION HAS VWG OUTSIDE DMA	LOS ANGELES	.
	KMGH	STATION HAS VWG OUTSIDE DMA	DENVER	.
	KMTV X	STATION HAS VWG OUTSIDE DMA	OMAHA	.
	KNSD	STATION HAS VWG OUTSIDE DMA	SAN DIEGO	.
	KOCO X	STATION HAS VWG OUTSIDE DMA	OKLAHOMA CITY	.
NO NAMES DURING NON-SYNC	KOLN X	STATION HAS VWG OUTSIDE DMA	LIN&HST-KRYPLUS	.
NO NAMES DURING NON-SYNC	KORO X	—	CORPUS CHRISTI, TX	.
	KPBS X	STATION HAS VWG OUTSIDE DMA	SAN DIEGO	.
	KPIX	STATION HAS VWG OUTSIDE DMA	SAN FRAN-OAK-SJ	.
	KPNX X		PHOENIX	.
	KRIV	STATION HAS VWG OUTSIDE DMA	HOUSTON	.
	KRON	STATION HAS VWG OUTSIDE DMA	SAN FRAN-OAK-SJ	.
	KRRT X		KERRVILLE, TX	.
	KSAT X		SAN ANTONIO, TX	.
NO NAMES DURING NON-SYNC	KSAX X	STATION HAS VWG OUTSIDE DMA	MINEAPLS-ST. PL	.
NO NAMES DURING NON-SYNC	KSIN X	—		.
NO NAMES DURING NON-SYNC	KSNW X	STATION HAS VWG OUTSIDE DMA	WICHTA-HTCH PLS	.
	KSTW	STATION HAS VWG OUTSIDE DMA	SEATTLE-TACOMA	.
NO NAMES ANYTIME	KTAJ? X	STATION HAS VWG OUTSIDE DMA	ST. JOSEPH	.
NO NAMES DURING NON-SYNC	KTAJ X	STATION HAS VWG OUTSIDE DMA	ST. JOSEPH	.
NO NAMES DURING NON-SYNC	KTBO X	—	OKLAHOMA CITY	.
NO NAMES DURING NON-SYNC	KTIV X	STATION HAS VWG OUTSIDE DMA	SIOUX CITY	.

NAMES STATUS	CALL LETTERS	VWG STATUS	DMA	STATION CODE
	KTLA	STATION HAS VWG OUTSIDE DMA	LOS ANGELES	.
	KTSF	STATION HAS VWG OUTSIDE DMA	SAN FRAN-OAK-SJ	.
	KTTV	STATION HAS VWG OUTSIDE DMA	LOS ANGELES	.
NO NAMES DURING NON-SYNC	KTUU ✗	STATION HAS VWG OUTSIDE DMA	ANCHORAGE	.
	KTVD ✗			.
	KTVT	STATION HAS VWG OUTSIDE DMA	DALLAS-FT.WORTH	.
	KTVU	STATION HAS VWG OUTSIDE DMA	SAN FRAN-OAK-SJ	.
	KTWO ✗	STATION HAS VWG OUTSIDE DMA	CASPER-RIVERTON	.
NO NAMES DURING NON-SYNC	KTWU	STATION HAS VWG OUTSIDE DMA	TOPEKA	.
	KTXL	STATION HAS VWG OUTSIDE DMA	SACRMNTO-STK-MO	.
	KUHT	STATION HAS VWG OUTSIDE DMA	HOUSTON	.
	KUSI ✗	STATION HAS VWG OUTSIDE DMA	SAN DIEGO	.
	KUTP ✗		PHOENIX	.
NO NAMES ANYTIME	KVCT ? ✗	—	VICTORIA, TX	.
~~NO NAMES DURING NON-SYNC~~	KVCT (✗	—		.
	KVOA ✗		TUCSON	.
	KVOS		BELLINGHAM	.
NO NAMES DURING NON-SYNC	KWET ✗	STATION HAS VWG OUTSIDE DMA	OKLAHOMA CITY	.
	KWGN	STATION HAS VWG OUTSIDE DMA	DENVER	.
	KWQC ✗	STATION HAS VWG OUTSIDE DMA	DAVNPRT-RI-MLNE	.
NO NAMES DURING NON-SYNC	KWTX ✗	STATION HAS VWG OUTSIDE DMA	WACO-TEMPL-BRYN	.
	KXAS	STATION HAS VWG OUTSIDE DMA	DALLAS-FT.WORTH	.
	KXLN ✗	STATION HAS VWG OUTSIDE DMA	HOUSTON	.
	KXTX	STATION HAS VWG OUTSIDE DMA	DALLAS-FT.WORTH	.
	KYMA ✗		YUMA	.
	KYTV ✗	STATION HAS VWG OUTSIDE DMA	SPRINGFIELD, MO	.
	WABC	STATION HAS VWG OUTSIDE DMA	NEW YORK	.
	WAFB ✗	STATION HAS VWG OUTSIDE DMA	BATON ROUGE	.
NO NAMES DURING NON-SYNC	WALA ✗	STATION HAS VWG OUTSIDE DMA	MOBILE-PENSCOLA	.
NO NAMES DURING NON-SYNC	WAOW ✗	STATION HAS VWG OUTSIDE DMA	WAUSAU-RHINELDR	.
	WATE ✗	STATION HAS VWG OUTSIDE DMA	KNOXVILLE	.
	WATL		ATLANTA	.
	WBAL	STATION HAS VWG OUTSIDE DMA	BALTIMORE	.
	WBBM	STATION HAS VWG OUTSIDE DMA	CHICAGO	.
	WBFF	STATION HAS VWG OUTSIDE DMA	BALTIMORE	.
NO NAMES DURING NON-SYNC	WBNG ✗	STATION HAS VWG OUTSIDE DMA	BINGHAMTON	.
	WBOY ✗	STATION HAS VWG OUTSIDE DMA	CLARKSBURG-WSTN	.
	WCAU	STATION HAS VWG OUTSIDE DMA	PHILADELPHIA	.
	WCBS	STATION HAS VWG OUTSIDE DMA	NEW YORK	.
NO NAMES DURING NON-SYNC	WCDC	STATION HAS VWG OUTSIDE DMA	ALBANY-SCH-TROY	.
	WCIU	STATION HAS VWG OUTSIDE DMA	CHICAGO	.
	WCLF ✗		CLEARWATER, FL	.
NO NAMES DURING NON-SYNC	WCNY ✗	STATION HAS VWG OUTSIDE DMA	SYRACUSE	.
NO NAMES DURING NON-SYNC	WCTI ✗		NEW BERN, NC	.
	WCVB	STATION HAS VWG OUTSIDE DMA	BOSTON	.
NO NAMES DURING NON-SYNC	WDBD ✗	STATION HAS VWG OUTSIDE DMA	JACKSON, MS	.
	WDBJ ✗	STATION HAS VWG OUTSIDE DMA	ROANOKE-LNCHBRG	.
	WDCA	STATION HAS VWG OUTSIDE DMA	WASHINGTON, DC	.
	WDTN	STATION HAS VWG OUTSIDE DMA	DAYTON	.
NO NAMES DURING NON-SYNC	WEAO ✗		AKRON, OH (PBS)	.
	WEDU	STATION HAS VWG OUTSIDE DMA	TAMPA-ST.P,SARA	.
	WENH ✗	STATION HAS VWG OUTSIDE DMA	BOSTON	.
	WENY ✗	STATION HAS VWG OUTSIDE DMA	ELMIRA	.
	WESH ✗	STATION HAS VWG OUTSIDE DMA	ORL-DYTN B-MLBN	.

NAMES STATUS	CALL LETTERS	VWG STATUS	DMA	STATION CODE
	WFFT ✗	STATION HAS VWG OUTSIDE DMA	FT. WAYNE	.
	WFLA		TAMPA, FL	
NO NAMES DURING NON-SYNC	WFLD ✓	STATION HAS VWG OUTSIDE DMA	CHICAGO	.
	WFSU ✗		TALLAHASSEE (PBS)	
	WFXT	STATION HAS VWG OUTSIDE DMA	BOSTON	.
	WGBS	STATION HAS VWG OUTSIDE DMA	PHILADELPHIA	.
NO NAMES DURING NON-SYNC	WGGB	STATION HAS VWG OUTSIDE DMA	SPRINGFLD-HLYOK	.
	WGGS ✗		Greenville, SC	
NO NAMES DURING NON-SYNC	WGN	STATION HAS VWG OUTSIDE DMA	CHICAGO	.
	WGNT ✗	STATION HAS VWG OUTSIDE DMA	NRFLK-PRT-NP NW	.
	WGNX ✗	STATION HAS VWG OUTSIDE DMA	ATLANTA	.
	WGTE ✗	STATION HAS VWG OUTSIDE DMA	TOLEDO	.
	WHA	STATION HAS VWG OUTSIDE DMA	MADISON	.
NO NAMES DURING NON-SYNC	WHIO	STATION HAS VWG OUTSIDE DMA	DAYTON	.
	WHRO ✗		HAMPTON, VA (PBS)	
	WIS	STATION HAS VWG OUTSIDE DMA	COLUMBIA, SC	.
	WJAC	STATION HAS VWG OUTSIDE DMA	JOHNSTOWN-ALTNA	.
	WJAR	STATION HAS VWG OUTSIDE DMA	PROVIDNC-N. BED	.
NO NAMES DURING NON-SYNC	WJBK	STATION HAS VWG OUTSIDE DMA	DETROIT	.
	WJCT ✗	STATION HAS VWG OUTSIDE DMA	JACKSNVIL, BRUNS	.
	WJZ	STATION HAS VWG OUTSIDE DMA	BALTIMORE	.
NO NAMES DURING NON-SYNC	WKBD ✓	STATION HAS VWG OUTSIDE DMA	DETROIT	.
NO NAMES DURING NON-SYNC	WKPC ✗		LOUISVILLE, KY (PBS)	
	WLEF ✗		PARK FALLS, WI (PBS)	
NO NAMES DURING NON-SYNC	WLEX ✗	STATION HAS VWG OUTSIDE DMA	LEXINGTON	.
NO NAMES DURING NON-SYNC	WLFI ✗	STATION HAS VWG OUTSIDE DMA	LAFAYETTE, IN	.
	WLIG ✗		RIVERHEAD, NY	
	WLVI	STATION HAS VWG OUTSIDE DMA	BOSTON	.
NO NAMES ANYTIME	WMAR	STATION HAS VWG OUTSIDE DMA	BALTIMORE	.
~~NO NAMES DURING NON-SYNC~~	WMTT ✗		COOKEVILLE, TN	
	WMTI			
	WNEP	STATION HAS VWG OUTSIDE DMA	WILKES BAR-SCR	.
NO NAMES DURING NON-SYNC	WNET	STATION HAS VWG OUTSIDE DMA	NEW YORK	.
	WNRW ✗		WINSTON SALEM, NC	
	WNVC ✗		FAIRFAX, VA (PBS)	
	WNWO ✗	STATION HAS VWG OUTSIDE DMA	TOLEDO	.
NO NAMES DURING NON-SYNC	WNYC	STATION HAS VWG OUTSIDE DMA	NEW YORK	.
	WNYW ✗	STATION HAS VWG OUTSIDE DMA	NEW YORK	.
	WOLF ✗	STATION HAS VWG OUTSIDE DMA	WILKES BAR-SCR	.
	WOLO ✗	STATION HAS VWG OUTSIDE DMA	COLUMBIA, SC	.
	WPBY ✗		HUNTINGTON, WV (PBS)	
	WPHL	STATION HAS VWG OUTSIDE DMA	PHILADELPHIA	.
NO NAMES DURING NON-SYNC	WPIX ✗	STATION HAS VWG OUTSIDE DMA	NEW YORK	.
NO NAMES DURING NON-SYNC	WPNE ✗	STATION HAS VWG OUTSIDE DMA	GREEN BAY-APLTN	.
NO NAMES DURING NON-SYNC	WPSD ✗		PADUCAH, KY	
	WPTO ✗		OXFORD, OH (PBS)	
	WPVI	STATION HAS VWG OUTSIDE DMA	PHILADELPHIA	.
	WSBK	STATION HAS VWG OUTSIDE DMA	BOSTON	.
	WSPA ✗	STATION HAS VWG OUTSIDE DMA	GREENVL-SPA-ASH	.
	WTBS	STATION HAS VWG OUTSIDE DMA	ATLANTA	.
NO NAMES DURING NON-SYNC	WTJC ✗	STATION HAS VWG OUTSIDE DMA	DAYTON	.
	WTRT ✗		FLORENCE, AL	
	WTTG	STATION HAS VWG OUTSIDE DMA	WASHINGTON, DC	.
	WTTW	STATION HAS VWG OUTSIDE DMA	CHICAGO	.

NAMES STATUS	CALL LETTERS	VWG STATUS	DMA	STATION CODE
NO NAMES DURING NON-SYNC	WTVD	STATION HAS VWG OUTSIDE DMA	RALEIGH-DURHAM	.
	WTVP	STATION HAS VWG OUTSIDE DMA	PEORIA-BLMINGTN	.
NO NAMES DURING NON-SYNC	WTVT	STATION HAS VWG OUTSIDE DMA	TAMPA-ST.P,SARA	.
	WTVW	STATION HAS VWG OUTSIDE DMA	EVANSVILLE	.
	WTVZ	STATION HAS VWG OUTSIDE DMA	NRFLK-PRT-NP NW	.
	WTXF	STATION HAS VWG OUTSIDE DMA	PHILADELPHIA	.
	WTZA	STATION HAS VWG OUTSIDE DMA	ALBANY-SCH-TROY	.
	WUAB	STATION HAS VWG OUTSIDE DMA	CLEVELAND	.
	WUNG		CONCORD, NC (16S)	.
	WUSA	STATION HAS VWG OUTSIDE DMA	WASHINGTON,DC	.
	WVCY		MILWAUKEE	.
	WVEU		ATLANTA	.
NO NAMES DURING NON-SYNC	WVFT	STATION HAS VWG OUTSIDE DMA	ROANOKE-LNCHBRG	.
	WVIA	STATION HAS VWG OUTSIDE DMA	WILKES BAR-SCR	.
	WWL	STATION HAS VWG OUTSIDE DMA	NEW ORLEANS	.
NO NAMES DURING NON-SYNC	WWOR	STATION HAS VWG OUTSIDE DMA	NEW YORK	.
	WWSB		SARASOTA	.
	WXIA	STATION HAS VWG OUTSIDE DMA	ATLANTA	.
NO NAMES DURING NON-SYNC	WXIX	STATION HAS VWG OUTSIDE DMA	CINCINNATI	.
	WXTX		WASHTOLLG COLUMBUS,GA	.
	WZTV		NASHVILLE	.

THE SAS SYSTEM
ANALYSIS OF ALL STATION IN METERED MPAA STUDY

CALL LETTERS	STATION WEIGHT	NAMES ?	VIEWING ?
KAET	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
KATV	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
KBCI	5.415	NAMES NOT PRESENT	VIEWING OUTSIDE DMA
KBHK	1.000	NAMES PRESENT	VIEWING OUTSIDE DMA
KBVO	5.415	NAMES NOT PRESENT	VIEWING OUTSIDE DMA
KBYU	5.415	NAMES NOT PRESENT	VIEWING OUTSIDE DMA
KCAL	1.000	NAMES PRESENT	VIEWING OUTSIDE DMA
KCAU	5.415	NAMES NOT PRESENT	VIEWING OUTSIDE DMA
KCET	1.000	NAMES PRESENT	VIEWING OUTSIDE DMA
KCIT	5.415	NAMES NOT PRESENT	NO VIEWING OUTSIDE DMA
KCOP	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
KCPQ	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
KCRA	1.000	NAMES PRESENT	VIEWING OUTSIDE DMA
KCSM	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
KCSO	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
KDFI	5.415	NAMES PRESENT	NO VIEWING OUTSIDE DMA
KDFW	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
KDNL	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
KDTN	5.415	NAMES PRESENT	NO VIEWING OUTSIDE DMA
KEDT	5.415	NAMES NOT PRESENT	NO VIEWING OUTSIDE DMA
KERA	1.000	NAMES PRESENT	VIEWING OUTSIDE DMA
KETA	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
KFCB	1.000	NAMES PRESENT	VIEWING OUTSIDE DMA
KFOR	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
KFTY	5.415	NAMES PRESENT	NO VIEWING OUTSIDE DMA
KGAN	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
KGO	1.000	NAMES PRESENT	VIEWING OUTSIDE DMA
KHET	5.415	NAMES NOT PRESENT	NO VIEWING OUTSIDE DMA
KHQ	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
KICU	1.000	NAMES PRESENT	VIEWING OUTSIDE DMA
KITN	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
KLTV	5.415	NAMES NOT PRESENT	VIEWING OUTSIDE DMA
KMEX	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
KMOH	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
KMTV	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
KNSD	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
KOCO	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
KOLN	5.415	NAMES NOT PRESENT	VIEWING OUTSIDE DMA
KORO	5.415	NAMES NOT PRESENT	NO VIEWING OUTSIDE DMA
KPBS	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
KPIX	1.000	NAMES PRESENT	VIEWING OUTSIDE DMA
KPNX	5.415	NAMES PRESENT	NO VIEWING OUTSIDE DMA
KRIV	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
KRON	1.000	NAMES PRESENT	VIEWING OUTSIDE DMA
KRRT	5.415	NAMES PRESENT	NO VIEWING OUTSIDE DMA
KSAT	5.415	NAMES PRESENT	NO VIEWING OUTSIDE DMA
KSAX	5.415	NAMES NOT PRESENT	VIEWING OUTSIDE DMA
KSIN	5.415	NAMES NOT PRESENT	NO VIEWING OUTSIDE DMA
KSWW	5.415	NAMES NOT PRESENT	VIEWING OUTSIDE DMA
KSTW	1.000	NAMES PRESENT	VIEWING OUTSIDE DMA
KTAJ	5.415	NAMES NOT PRESENT	VIEWING OUTSIDE DMA
KTBO	5.415	NAMES NOT PRESENT	NO VIEWING OUTSIDE DMA
KTIV	5.415	NAMES NOT PRESENT	VIEWING OUTSIDE DMA
KTLA	1.000	NAMES PRESENT	VIEWING OUTSIDE DMA

CALL LETTERS	STATION WEIGHT	NAMES ?	VIEWING ?
KTSF	1.000	NAMES PRESENT	VIEWING OUTSIDE DMA
KTTV	1.000	NAMES PRESENT	VIEWING OUTSIDE DMA
KTUU	5.415	NAMES NOT PRESENT	VIEWING OUTSIDE DMA
KTVD	5.415	NAMES PRESENT	NO VIEWING OUTSIDE DMA
KTVT	1.000	NAMES PRESENT	VIEWING OUTSIDE DMA
KTVU	1.000	NAMES PRESENT	VIEWING OUTSIDE DMA
KTWO	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
KTWU	5.415	NAMES NOT PRESENT	VIEWING OUTSIDE DMA
KTXL	1.000	NAMES PRESENT	VIEWING OUTSIDE DMA
KUHT	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
KUSI	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
KUTP	5.415	NAMES PRESENT	NO VIEWING OUTSIDE DMA
KVCT	5.415	NAMES NOT PRESENT	NO VIEWING OUTSIDE DMA
KVOA	5.415	NAMES NOT PRESENT	NO VIEWING OUTSIDE DMA
KVOS	1.000	NAMES PRESENT	NO VIEWING OUTSIDE DMA
KWET	5.415	NAMES NOT PRESENT	VIEWING OUTSIDE DMA
KWGN	1.000	NAMES PRESENT	VIEWING OUTSIDE DMA
KWQC	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
KWTX	5.415	NAMES NOT PRESENT	VIEWING OUTSIDE DMA
KXAS	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
KXLN	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
KXTX	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
KYMA	5.415	NAMES PRESENT	NO VIEWING OUTSIDE DMA
KYTV	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
WABC	1.000	NAMES PRESENT	VIEWING OUTSIDE DMA
WAFB	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
WALA	5.415	NAMES NOT PRESENT	VIEWING OUTSIDE DMA
WAOW	5.415	NAMES NOT PRESENT	VIEWING OUTSIDE DMA
WATE	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
WATL	5.415	NAMES PRESENT	NO VIEWING OUTSIDE DMA
WBAL	1.000	NAMES PRESENT	VIEWING OUTSIDE DMA
WBBM	1.000	NAMES PRESENT	VIEWING OUTSIDE DMA
WBFF	1.000	NAMES PRESENT	VIEWING OUTSIDE DMA
WBNG	5.415	NAMES NOT PRESENT	VIEWING OUTSIDE DMA
WBOY	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
WCAU	1.000	NAMES PRESENT	VIEWING OUTSIDE DMA
WCBS	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
WCDC	5.415	NAMES NOT PRESENT	VIEWING OUTSIDE DMA
WCIU	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
WCLF	5.415	NAMES PRESENT	NO VIEWING OUTSIDE DMA
WCNY	5.415	NAMES NOT PRESENT	VIEWING OUTSIDE DMA
WCTI	5.415	NAMES NOT PRESENT	NO VIEWING OUTSIDE DMA
WCVB	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
WDBD	5.415	NAMES NOT PRESENT	VIEWING OUTSIDE DMA
WDBJ	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
WDCA	1.000	NAMES PRESENT	VIEWING OUTSIDE DMA
WDTN	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
WEAO	5.415	NAMES NOT PRESENT	NO VIEWING OUTSIDE DMA
WEDU	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
WENH	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
WENY	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
WESH	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
WFFT	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
WFLA	5.415	NAMES PRESENT	NO VIEWING OUTSIDE DMA

CALL LETTERS	STATION WEIGHT	NAMES ?	VIEWING ?
WFLD	1.000	NAMES PRESENT	VIEWING OUTSIDE DMA
WFSU	5.415	NAMES NOT PRESENT	NO VIEWING OUTSIDE DMA
WFXT	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
WGBS	1.000	NAMES PRESENT	VIEWING OUTSIDE DMA
WGGB	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
WGGS	5.415	NAMES NOT PRESENT	NO VIEWING OUTSIDE DMA
WGN	1.000	NAMES PRESENT	VIEWING OUTSIDE DMA
WGNT	5.415	NAMES NOT PRESENT	VIEWING OUTSIDE DMA
WGNX	1.000	NAMES PRESENT	VIEWING OUTSIDE DMA
WGTE	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
WHA	1.000	NAMES PRESENT	VIEWING OUTSIDE DMA
WHIO	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
WHRO	5.415	NAMES NOT PRESENT	NO VIEWING OUTSIDE DMA
WIS	5.415	NAMES NOT PRESENT	VIEWING OUTSIDE DMA
WJAC	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
WJAR	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
WJBK	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
WJCT	5.415	NAMES NOT PRESENT	VIEWING OUTSIDE DMA
WJZ	1.000	NAMES PRESENT	VIEWING OUTSIDE DMA
WKBD	1.000	NAMES PRESENT	VIEWING OUTSIDE DMA
WKPC	5.415	NAMES NOT PRESENT	NO VIEWING OUTSIDE DMA
WLEF	5.415	NAMES NOT PRESENT	NO VIEWING OUTSIDE DMA
WLEX	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
WLFI	5.415	NAMES NOT PRESENT	VIEWING OUTSIDE DMA
WLIO	5.415	NAMES NOT PRESENT	NO VIEWING OUTSIDE DMA
WLVI	1.000	NAMES PRESENT	VIEWING OUTSIDE DMA
WMAR	1.000	NAMES PRESENT	VIEWING OUTSIDE DMA
WMTT	5.415	NAMES NOT PRESENT	NO VIEWING OUTSIDE DMA
WNEP	1.000	NAMES PRESENT	VIEWING OUTSIDE DMA
WNET	1.000	NAMES PRESENT	VIEWING OUTSIDE DMA
WNRW	5.415	NAMES NOT PRESENT	NO VIEWING OUTSIDE DMA
WNVC	5.415	NAMES PRESENT	NO VIEWING OUTSIDE DMA
WNWO	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
WNYC	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
WNYW	1.000	NAMES PRESENT	VIEWING OUTSIDE DMA
WOLF	5.415	NAMES NOT PRESENT	VIEWING OUTSIDE DMA
WOLO	5.415	NAMES NOT PRESENT	VIEWING OUTSIDE DMA
WPBY	5.415	NAMES PRESENT	NO VIEWING OUTSIDE DMA
WPHL	1.000	NAMES PRESENT	VIEWING OUTSIDE DMA
WPIX	1.000	NAMES PRESENT	VIEWING OUTSIDE DMA
WPNE	5.415	NAMES NOT PRESENT	VIEWING OUTSIDE DMA
WPSD	5.415	NAMES NOT PRESENT	NO VIEWING OUTSIDE DMA
WPTO	5.415	NAMES NOT PRESENT	NO VIEWING OUTSIDE DMA
WPVI	1.000	NAMES PRESENT	VIEWING OUTSIDE DMA
WSBK	1.000	NAMES PRESENT	VIEWING OUTSIDE DMA
WSPA	5.415	NAMES NOT PRESENT	VIEWING OUTSIDE DMA
WTBS	1.000	NAMES PRESENT	VIEWING OUTSIDE DMA
WTJC	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
WTRT	5.415	NAMES NOT PRESENT	NO VIEWING OUTSIDE DMA
WTTG	1.000	NAMES PRESENT	VIEWING OUTSIDE DMA
WTTW	1.000	NAMES PRESENT	VIEWING OUTSIDE DMA
WTVD	5.415	NAMES NOT PRESENT	VIEWING OUTSIDE DMA
WTVP	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
WTVT	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA

CALL LETTERS	STATION WEIGHT	NAMES ?	VIEWING ?
WTVH	5.415	NAMES NOT PRESENT	VIEWING OUTSIDE DMA
WTVZ	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
WTXF	1.000	NAMES PRESENT	VIEWING OUTSIDE DMA
WTZA	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
WUAB	1.000	NAMES PRESENT	VIEWING OUTSIDE DMA
WUNG	5.415	NAMES NOT PRESENT	NO VIEWING OUTSIDE DMA
WUSA	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
WVCY	5.415	NAMES PRESENT	NO VIEWING OUTSIDE DMA
WVEU	5.415	NAMES PRESENT	NO VIEWING OUTSIDE DMA
WVFT	5.415	NAMES NOT PRESENT	VIEWING OUTSIDE DMA
WVIA	1.000	NAMES PRESENT	VIEWING OUTSIDE DMA
WWL	5.415	NAMES PRESENT	VIEWING OUTSIDE DMA
WWOR	1.000	NAMES PRESENT	VIEWING OUTSIDE DMA
WWSB	5.415	NAMES NOT PRESENT	NO VIEWING OUTSIDE DMA
WXIA	1.000	NAMES PRESENT	VIEWING OUTSIDE DMA
WXIX	1.000	NAMES PRESENT	VIEWING OUTSIDE DMA
WXTX	5.415	NAMES NOT PRESENT	NO VIEWING OUTSIDE DMA
WZTV	5.415	NAMES PRESENT	NO VIEWING OUTSIDE DMA